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AN ACT TO RAISE SUPPLIES FOR THE YEAR COMMENCING IN OCTOBER, ONE A. D. 1845.
THOUSAND EIGHT HUNDRED AND FORTY-FIVE. No. 2948.

I. *Be it enacted*, by the Senate and House of Representatives now met and sitting in General Assembly, and by the authority of the same, That a tax for the sums, and in the manner hereinafter mentioned, shall be raised and paid into the public Treasury of this State, for the use and service thereof, that is to say: thirty cents ad valorem on every hundred dollars of the value of all the lands granted in this State, according to the existing classification heretofore established; one half per cent per acre on all lands lying within the Catawba Indian boundary, to be paid by each grantee or lessee of said Indian lands until otherwise directed by law; fifty-five cents per head on all Slaves; two dollars on each Free Negro, Mulatto and Mustizoe, between the ages of fifteen and fifty years, except such as shall be clearly proved, to the satisfaction of the Collector, to be incapable, from maims, or otherwise, of providing a livelihood; twenty-five cents ad valorem on every hundred dollars of the value of all lots, lands and buildings, within any city, town, village or borough, including all lots or portions of land on which buildings may be erected in the immediate vicinity of any city, town, village, or borough in this State; sixty cents per hundred dollars on factorage, employments, faculties and professions, (whether in the profession of law, the profits be derived from costs of suit, fees or other sources of professional income,) and on the amount of commissions received by Vendue Masters and Commission Merchants, (Clergymen, Schoolmasters, Schoolmistresses, and Mechanics, excepted;) fifty-five cents upon every hundred dollars worth of goods, wares and merchandize, embracing all the articles of trade for sale, barter or exchange, (the products of this State, and the unmanufactured products of any of the United States, or Territories thereof excepted,) which any person shall use or employ, as articles of trade, sale, barter or exchange, or have in his, her, or their possession, on the first day of January, in the year of our Lord one thousand eight hundred and forty-six, either on his, her or their own capital, or borrowed capital, or on account of any person or persons as agent, attorney or consignee; fifty-five cents upon every hundred dollars worth of goods, wares and merchandize whatever, which any transient person, not resident in this State, shall sell or expose for sale, in any house, stall, or public place; two thousand dollars for the privilege of opening or keeping any office for the sale of lottery tickets, or for the privilege of selling or offering for sale, any lottery ticket in any other lottery, than such as may be authorized by the laws of this State; ten dollars per day for representing publicly, for gain and reward any play, comedy, tragedy, interlude or farce, or other employment of the stage, or any part therein, or for exhibiting wax figures, or other shows of any kind whatever, to be paid into the hands of the Clerks of the Courts, respectively who shall be bound to pay the same into the public Treasury, except in cases where the same is now required by law, to be paid to corporations or otherwise.

In the Senate House, the fifteenth day of December, in the year of our Lord, one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate*,
W. F. COLCOCK, *Speaker of the House of Representatives*.

A. D. 1845. AN ACT TO MAKE APPROPRIATIONS FOR THE YEAR, COMMENCING IN OCTOBER, ONE THOUSAND EIGHT HUNDRED AND FORTY-FIVE.

I. *Be it enacted* by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the following sums be, and they are hereby appropriated, for the payment of the various officers and expenses of the State Government, that is to say :

Executive Department.

IN THE EXECUTIVE DEPARTMENT: For the salary of the Governor, three thousand five hundred dollars; for the Private Secretary of the Governor, five hundred dollars; for the Messenger of the Governor, two hundred and fifty dollars; for the Contingent Fund of the Executive Department, seven thousand dollars, to be subject to the draft of the Governor, and to be accounted for annually by him to the Legislature: for the rent of the Governor's House, in Columbia, three hundred dollars.

Legislative Department.

II. IN THE LEGISLATIVE DEPARTMENT: For the pay of the Members of the Legislature, and the Solicitors and Attorney General, during the present session, eighteen thousand dollars, if so much be necessary; for the salaries of the Clerks of the Senate and House of Representatives, one thousand dollars each; and to the said Clerks, for the services for two Assistant Clerks, two hundred and fifty dollars for the Clerk of the House, and two hundred and fifty dollars for the Clerk of the Senate, to be paid at the adjournment of the Legislature; for the salaries of two Messengers and two Door-Keepers, each two hundred and fifty dollars, to be paid at the adjournment of the Legislature; for the salary of the Keeper of the State House and Librarian, seven hundred dollars; for the salaries of the Reading Clerks of the Senate and House of Representatives, each two hundred and fifty dollars, to be paid at the end of the session; for the services of Engrossing Clerks, to be paid under the direction of the Speaker of the House and President of the Senate, one hundred dollars; for the Printers to the Senate and House of Representatives, in pursuance of the contracts made by the Committees of both Houses, four thousand dollars, if so much be necessary, for the printing executed by the said Printers, during the present session of the Legislature, the same to be paid to them as soon as the amount on the said contracts shall be ascertained by the Treasurer of the Upper Division; for the Printer, for printing in pamphlet form the Acts, Journals of both Houses, Reports and Resolutions agreed to, the Governor's Message, Reports of the President of the Bank and Comptroller-General, with the usual accompanying documents, two thousand dollars, if so much be necessary. *Provided*, that the number of copies specified in the proposals of the Printer, as accepted by the Legislature, shall be printed and deposited in the Office of the Treasurer of the Upper Division, at Columbia, before the twentieth day of February next; and the amount to be paid, according to the proposals, shall be ascertained by the Treasurer aforesaid; for Benjamin Hart, for contingent expenses during the present session of the Legislature, six hundred dollars, if so much be necessary, to be accounted for by him at the Treasury, and reported by the Treasurer to the General Assembly; for Stationery, Fuel, distributing Acts, expenses for the Election Returns, fourteen hundred dollars, if so much be necessary; for the purchase of Books for the Library of the Legislature, five hundred dollars.

Judiciary Department.

III. IN THE JUDICIARY DEPARTMENT: For the salaries of two Judges, three thousand five hundred dollars each; for the salaries of eight Judges, three thousand dollars each; for the salary of the Attorney General, eleven hundred dollars; for the salaries of five Solicitors, nine hundred dollars each;

A. D. 1845.

for the salary of the Clerk of the Court of Appeals, in Columbia, six hundred dollars, to be paid quarterly by the Treasurer of the Upper Division; for the salary of a Messenger of the same Court, at Columbia, two hundred and fifty dollars; for the salary of a Librarian of the Court of Appeals, in Columbia, two hundred dollars, the same to include the expenses of fuel; the salary of the said Librarian and Messenger, hereafter to be paid quarterly, in the same manner as other officers; for the purchase of books for the Library of the Court of Appeals, at Columbia, five hundred dollars; for fire-wood and fuel for the Court of Appeals, at Columbia, fifty dollars, if so much be necessary, to be drawn by the Clerk of the said Court, and expended under the direction of the Judges; for the salary of the Clerk of the Court of Appeals in Charleston, six hundred dollars; for the salary of the Messenger of the same Court, in Charleston, two hundred and fifty dollars; for the salary of a Librarian of the Court of Appeals, in Charleston, two hundred dollars, the same to include the expenses of fuel; the salaries of the said Clerk, Messenger and Librarian, to be paid to them quarterly by the Treasurer of the Lower Division, in the same manner as other officers; for fire-wood and fuel for the Court of Appeals, at Charleston, fifty dollars, if so much be necessary, to be drawn by the Clerk of the said Court, and expended under the direction of the Judges; for the purchase of books for the Library of the Court of Appeals, at Charleston, five hundred dollars; for the salary of the State Reporter, fifteen hundred dollars, of which sum, not more than one half shall be paid, unless the Reporter shall print and publish such decisions of the Courts of Appeals and Errors, which shall be made during the term of his office, as the Judges may direct, as well as such others as he may deem important to be published, within as short a time after the delivery of the said decisions as practicable, so that the publication of the law cases shall not be delayed beyond six months, and the Equity cases not beyond twelve months from the termination of the May sitting of the Courts of Appeals and Errors; and it shall be the duty of the said Reporter, to attend in person, or by deputy, the sittings of the Courts of Appeals and Errors in Columbia and Charleston, and to report such arguments and statements of facts as may be necessary to a correct understanding of the decisions of the said Courts; for the pay of Jurors and Constables, forty thousand dollars, if so much be necessary.

IV. IN THE TREASURY DEPARTMENT: For the salary of Comptroller-General, two thousand dollars; for the salary of the Clerk of the Comptroller-General, seven hundred and fifty dollars; the said Clerk to be appointed and removable at the pleasure of the Comptroller-General; for the salary of the Treasurer of the Lower Division, and for transacting the business of the Loan Office, and for Clerk's hire, two thousand dollars; for the salary of the Treasurer of the Upper Division, including Clerk's hire, sixteen hundred dollars: for the Assessor of St. Philip's and St. Michael's, for making out and affixing assessments of each return, eighteen hundred dollars.

Treasury Department.

V. FOR THE SOUTH-CAROLINA COLLEGE: For the salary of the President of the College, three thousand dollars; for the salary of seven Professors in the College, two thousand five hundred dollars each; for the salary of the Treasurer of the College, five hundred dollars; for the salary of the Librarian of the College, six hundred dollars; for the salary of the Secretary of the Board of Trustees, two hundred dollars; for the salary of the Marshal, four hundred dollars; the salaries of the President, Professors, Treasurer and Librarian, to be paid by the Treasurer of the Upper Division, quarterly in advance, their drafts being countersigned by the Treasurer of the College;

South Carolina College.

A. D. 1845. for the expenses of one student, now in the College, sent by the Orphan House in Charleston, four hundred dollars, to be paid to the order of the Chairman of the Board of Commissioners of said Orphan House, for the use of such student; for the salary of the Tutor of the Greek Language during the last year, one thousand dollars.

Ordinary civil expenses. VI. FOR THE ORDINARY CIVIL EXPENSES: For the payment of Contingent Accounts of the Upper Division, seventeen thousand dollars, if so much be necessary; for the payment of the Contingent Accounts of the Lower Division, thirteen thousand dollars, if so much be necessary; for the payment of Pensions and Annuities, five thousand dollars, if so much be necessary; for the payment of such claims, as shall be admitted by the Legislature at its present session, ten thousand dollars, if so much be necessary; for the payment of such Medical Accounts, as shall be admitted by the Legislature at its present session, five hundred dollars, if so much be necessary; for the support of Free Schools, thirty-seven thousand five hundred dollars, if so much be necessary; for the salary of the Superintendent of Public Works, fifteen hundred dollars; for the Education of the Deaf and Dumb, under the existing law of eighteen hundred and thirty-four, and of the Blind, under the Resolution adopted at the session of the Legislature, Anno Domini one thousand eight hundred and forty-one, two thousand five hundred dollars, if so much be necessary; for refunding Taxes and paying for Stock Certificates, and interest, as directed by Reports of the Committee of Ways and Means, or of Finance, and agreed to by the Legislature, five hundred dollars, if so much be necessary; for the payment of such other claims or demands on the State, as may be allowed by the General Assembly, upon Reports of other Committees, one thousand dollars, if so much be necessary; for interest on the three per cent. and Randolph Stock, six thousand four hundred dollars; for compensation, according to the Act of eighteen hundred and forty-three, for Slaves executed, two thousand dollars, if so much be necessary.

Military expenditures. VII. FOR MILITARY EXPENDITURES: For the salaries of the following Officers: viz. Adjutant and Inspector-General, two thousand five hundred dollars; Quarter-Master General, five hundred dollars; Arsenal Keeper, in Charleston, one thousand dollars; Arsenal Keeper and Powder Receiver, in Columbia, at the rate of four hundred dollars per annum; Physician of the Jail and Magazine Guard, at Charleston, five hundred dollars; for the support of the Arsenal and Magazine Guard, at Charleston, sixteen thousand dollars, if so much be necessary; for the support of the Arsenal and Magazine Guard, at Columbia, eight thousand dollars, if so much be necessary; and the Arsenal and Magazine Guards shall be under the direction of the Governor, so as that their support shall not exceed the said appropriations, respectively; for repairing Arms and for Arsenal purposes, in Charleston and Columbia, one thousand dollars, if so much be necessary; for the Military Accounts, as agreed to by both branches of the Legislature, fifty dollars, if so much be necessary; for the Military Contingencies, five thousand dollars, to be drawn by the Governor, and accounted for by him to the Legislature; for defraying the expenses of Artillery Companies, throughout the State, twelve hundred dollars, if so much be necessary, to be drawn and applied in the manner prescribed by the Act in relation to that subject.

Ordinary local expenses. VIII. FOR ORDINARY LOCAL EXPENSES: For the support of the Transient Poor of Charleston, four thousand five hundred dollars, to be paid to the City Council of Charleston, and accounted for by them to the Legislature; for the salary of the Port Physician, in Charleston, including boat hire and other

incidental expenses, eight hundred dollars; for the execution of the Quarantine Laws, at Charleston, one thousand dollars, if so much be necessary, to be paid to the City Council of Charleston, and expended under their direction; for the salary of the Superintendant of the Fire Proof Building, in Charleston, during the ensuing year, one hundred dollars; for the support of the Transient Poor of Georgetown, five hundred dollars, to be expended by the Commissioners of the Poor of Prince George, Winyaw, to be accounted for by them to the Legislature; for the salary of the Pilot of the Harbor and Bar of Georgetown, three hundred and twenty dollars; for aiding the support of a Ferry over Elliott's Cut, two hundred dollars, subject to the order of the Commissioners of Roads of St. Andrew's Parish.

A. D. 1845.

IX. EXTRAORDINARY EXPENDITURES: For the Catawba Indians, to be applied under the Act of eighteen hundred and forty, one thousand dollars, if so much be necessary; for repairs and improvements on the State House and Grounds, ten thousand dollars, if so much be necessary; the accounts for the same to be audited at the Treasury, under the direction of the Committee charged with these repairs and improvements; for the Geological Survey of the State, as ordered by the Resolution of the General Assembly, two thousand dollars; for printing the Geological Report and continuation thereof, with such Maps as may be appended, one thousand dollars if so much be necessary; for the Surveyor-General for Copy Plats as reported by the Committee of Internal Improvements, four hundred and ninety-four dollars and thirty-four cents; for publishing Agricultural Papers, as recommended by the Committee on Agriculture, to be paid to the State Agricultural Society, and accounted for by them, five hundred dollars; for the Commissioners of Public Buildings of Georgetown District, six hundred dollars, for work executed under a Resolution of the General Assembly, in eighteen hundred and forty-three.

Extraordinary expenses.

X. FOR PUBLIC BUILDINGS: For Repairs to the Court House in Kershaw District, four thousand dollars if so much be necessary.

Public Buildings.

XI. After reserving the sum of ten thousand dollars, the Comptroller-General shall apply any balance of moneys in the Treasury at the end of the fiscal year, to the purchase and extinguishment of the public Debt of the State, giving preference in such purchase, to the debt, the interest of which is paid from the Public Treasury.

Balance in Treasury how appropriated.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

AN ACT TO ALTER THE SITTINGS OF THE COURTS OF LAW IN CERTAIN DISTRICTS. No. 2950.

I. *Be it enacted*, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That hereafter, the Courts of Common Pleas and General Sessions for the several Districts, within the Northern, Middle and Eastern Circuits, hereafter mentioned, shall be held at the times following, respectively, instead of the times

Times for holding Courts in Richland, Edgefield, Spartanburgh, and Chesterfield.

A. D. 1845.

now provided by Law, that it is to say—for the Districts of Richland, Edgefield, Spartanburg and Chesterfield, on the first Monday in March and October, in every year, to sit two weeks, for the Districts of Richland and Edgefield, and one week for the Districts of Spartanburg and Chesterfield at each term; for the Districts of Union and Marlborough, on the second Monday in March and October, in every year, to sit two weeks for the District of Union and one week for the District of Marlborough, at each term; for the Districts of Newberry and Darlington, on the third Monday in March and October in every year, to sit one week at each term; for the Districts of Fairfield, Lexington and Marion, on the fourth Monday in March and October, in every year, to sit one week at each term; for the Districts of Chester, Sumter and Horry, on the first Monday after the fourth Monday in March and October, in every year, to sit for one week at each term; for the Districts of York, Kershaw, and Georgetown, on the second Monday after the fourth Monday in March and October, in every year, to sit for one week at each term; for the Districts of Lancaster and Williamsburgh, on the third Monday after the fourth Monday in March and October, in every year, to sit for one week at each term; for the District of Charleston, on the first Monday in May in every year, instead of the second Monday in March, to sit six weeks.

Union and Marlborough.

Newberry and Darlington.

Fairfield, Lexington, and Marion.

Chester, Sumter and Horry.

York, Kershaw and Georgetown.

Lancaster and Williamsburgh

Charleston.

Writs when returnable.

II. That all writs and process which shall have been made returnable to the Courts of any of the said Districts, at the times heretofore provided by Law, shall respectively, be legal and valid to all intents and purposes, for the Courts next to be held in the said Districts, respectively, according to the provisions of this act, and that all persons who have been summoned, or may hereafter be summoned, to attend the Courts of any of the said Districts, as jurors or witnesses, or who now are, or shall hereafter be bound in recognizance to appear at any of the said Courts, at the times heretofore provided by Law, shall be and are hereby required to attend or appear at the Courts of the said Districts, respectively, next to be held according to the provisions of this act.

Spartanburgh added to northern circuit

III. That Spartanburgh, be, and is, hereby added to the Northern Circuit.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

No. 2951. AN ACT TO INCORPORATE CERTAIN SOCIETIES AND COMPANIES, AND TO RE-NEW AND AMEND CERTAIN CHARTERS HERETOFORE GRANTED, AND FOR OTHER PURPOSES.

I. *Be it enacted* by the Senate and House of Representatives now met and sitting in General Assembly, and by the authority of the same, That all free white persons who now are, or hereafter may become members of the following Religious Societies and Associations, to wit: "The Evangelical Lutheran Church of Mount Calvary," in Edgefield District; "Good Hope

Certain Societies and Companies.

Church," on Cloud's Creek, Edgefield District; "Corinth Church," in Edgefield District; "St. Mark's Church," in Edgefield District; "Bethlehem Church," on Little Black Creek, in Lexington District; "Mount Zion Church," near Holly Creek, Lexington District, be, and the same are hereby declared and constituted bodies politic and corporate, by the name and style to each above respectively assigned. A. D. 1845.

II. The Religious Societies aforesaid shall have succession of officers and members according to their respective by-laws; and shall have power respectively to make by-laws not repugnant to the laws of the land; to have, use and keep a common seal, and the same to alter at will, to sue and be sued, plead and be impleaded in any Court in this State, and to have and enjoy every right incident to incorporations. They are hereby empowered respectively to retain, possess and enjoy all such property, real or personal, as they may severally possess or be entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them; and to sell, alien, or transfer the same or any part thereof. *Provided*, That the amount of property so held, shall in no case exceed Five Thousand Dollars. Incorporated.

III. That the Charters of the Societies aforesaid shall continue in force for the term of fourteen years. Term of Charters.

IV. That those persons who now are or hereafter may become members of the following Companies and Societies, to wit: The "Moultrie Guards," a Company of Light Infantry attached to the sixteenth regiment; "The Washington Greys," a Company attached to the thirty-first regiment of Infantry; "Hayne Lodge, No. 11, of the Independent Order of Odd Fellows," at Georgetown; those persons who now are members of the "Hamburg Fire Engine Company," with liberty to increase their number to forty members; those persons who now compose the "Ebenezer Band," of the forty-sixth regiment South Carolina Militia, be, and the same are hereby constituted and declared bodies politic and corporate by the name and style to each respectively assigned. Moultrie Guards, the Washington Greys, Hayne Lodge, No. 11, Hamburg Fire Engine Company incorporated.

V. The Companies and Societies aforesaid shall have succession of officers and members according to their respective by-laws, and shall have power to make by-laws not repugnant to the laws of the land, to have, use and keep a common seal, to sue and be sued, plead and be impleaded in any court of this State, and have and enjoy every right incident to incorporations. They are hereby respectively empowered to retain, possess and enjoy all such property as they may severally possess or be entitled unto, or which shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien, or transfer the same or any part thereof. *Provided*, That the amount of property held by the Moultrie Guards shall not yield a yearly income of more than six hundred dollars; that held by the Washington Greys shall not exceed in value five thousand dollars; the property held by Hayne Lodge, No. 11, of the Independent Order of Odd Fellows, not to exceed in value ten thousand dollars; the property held by the Hamburg Fire Engine Company, in addition to their Engine, shall not exceed in value five thousand dollars. Powers.

VI. That the commissioned officers, or a majority of them attached to the Washington Greys, are hereby authorized and empowered to try all defaulters attached to said Company for failure to perform duty at company and regimental musters, or any other neglect of duty which, by law, the members of said Company may be required to perform, and to collect and retain to the use of said Company all fines which may be imposed for said failure or neglect of duty. Washington Greys to try defaulters, &c.

A. D. 1845.

Certain Companies exempt from militia duty.

VII. The members of the said Fire Engine Company not to exceed sixty in number, shall be, and are hereby declared exempted from ordinary Militia duty, but shall be liable to perform duty in time of alarm, insurrection or invasion, and shall not be exempt from draft for actual service. And the Ebenezer Band of the forty-sixth regiment, in lieu of ordinary Militia duty, shall be liable to play on regimental occasions, subject to the order of the officer in command.

Term of charters.

VIII. That the Charters of the Companies and Societies aforesaid shall continue in force for a period of fourteen years.

"The Ladies Benevolent Society," "The Town of Beaufort," "The Cheraw Presbyterian Society," "The St. Andrews Agricultural and Police Society," incorporated for 14 years.

IX. That "The Ladies Benevolent Society," in Charleston; "The Town of Beaufort;" "The Cheraw Presbyterian Society of the Town of Cheraw;" "The St. Andrew's Agricultural and Police Society," of St. Andrew's Parish, are hereby re-incorporated for the term of fourteen years, with all the powers and privileges heretofore granted to each respectively; and all the Acts done by the corporations of the Cheraw Presbyterian Society, and the St. Andrews Agricultural and Police Society since the expiration of their Charters are declared to be valid and have the like effect as though they had been done under a charter; and that the property held by the said Cheraw Presbyterian Society of the Town of Cheraw, at the time of the expiration of its late Charter, be vested and confirmed in the said Society herein re-incorporated.

Intendant and Wardens of Beaufort to have certain powers.

X. That the Intendant and Wardens of the Town of Beaufort are hereby authorized and empowered to try all defaulters in the performance of patrol duty within the corporate limits of said town, and impose such fine as is now provided by law in such cases. And they are hereby authorized to

Marion Academy Society and St. Luke's Agricultural Society incorporated.

issue a fieri facias for the collection of any fine which they may thus impose. XI. That all persons who now are, or hereafter may become members of the "Marion Academy Society;" those persons who now are or hereafter may become members of the "St. Luke's Agricultural Society," be, and are hereby declared bodies politic and corporate by the name and style to each respectively assigned. This Act to continue in force for the term of fourteen years.

Powers of said Societies.

XII. The Societies aforesaid shall have, by their respective names, succession of officers and members, to be chosen and admitted according to their respective by-laws; shall have power to make by-laws not repugnant to the law of the land, to have, use and keep a common seal, and the same to alter at will, to sue and be sued, plead and be impleaded in any court of this State, and to have and enjoy every right incident to incorporations. They are also empowered, respectively to retain, possess and enjoy all such property, real and personal, as they may now be possessed of, or entitled to, or which may hereafter be given, bequeathed to, or in any manner acquired by them. *Provided*, the amount so held shall in neither case exceed the sum of five thousand dollars.

Laurensville Incorporated.

XIII. That all free white persons, citizens of the United States, who have resided six months in the village of Laurens, shall be deemed, and are hereby declared to be a body politic and corporate, and the said village shall be called and known by the name of "Laurensville;" and its corporate limits shall extend one mile in each and every direction from the Court House now standing in said village. *Provided*, always, that the provisions of the Act extending the limits of the said village to an ideal line beyond the lots included by the streets of said village, shall not be construed to render the lands and buildings taken in by such extension, any more liable to be ranked as village

property, or property contiguous thereto in the collection of public taxes, than if this Act had not been passed. A. D. 1845.

XIV. The said village shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday in January in every year, ten days notice being previously given; and the said Intendant and Wardens shall be known by the name of the Town Council of Laurensville; and the said corporation is hereby invested with all the powers and privileges, and subject to the same restrictions as are conferred on the corporation of the village of Newberry, by an Act passed on the seventeenth day of December, *Anno Domini*, eighteen hundred and forty one, entitled "An Act to incorporate certain Villages, Societies and Companies, and to renew and amend certain Charters heretofore granted, and to establish the principles on which Charters of Incorporations will hereafter be granted."

Said village how to be governed.

XV. That D. C. Judd, T. O. P. Vernon and John Poole, Trustees of the Presbyterian Church lately organized in the town of Spartanburgh, and their successors, be, and they are hereby created a body corporate and politic, by the name and style of "The Trustees of the Presbyterian Church in the town of Spartanburgh," whose duty it shall be to take charge and management of the lands, buildings and other temporalities, of the said Church, in trust for the use and benefit of said Church, according to the provisions of an Act entitled "An Act to incorporate the Presbyterian Church in Abbeville District, heretofore known as the Rocky Creek Church," ratified the eighteenth day of December, one thousand eight hundred and forty-four, to have succession in like manner, exercise like rights and privileges, and be subject to like restrictions as are therein secured and enjoined.

Trustees of the Presbyterian Church in the town of Spartanburgh, incorporated.

XVI. That those persons who now are or hereafter may become members of the following Societies and Associations, to wit: "Trinity Church," on Big Creek, Edgefield District; "The Swift Creek Baptist Church of Darlington," in Darlington District; "Nazareth Church," in Spartanburgh District; "Mount Lebanon," a Lutheran Church in Orangeburg District; "The Aiken Lodge, No. 7 of the Independent Order of Odd Fellows." "Lafayette Lodge, No. 8, of the Independent Order of Odd Fellows," at Chester Court House, and members of the Baptist Church of Christ of Winyaw, be, and they are hereby declared and constituted bodies politic and corporate, by the name and style to each respectively assigned. This Act to continue in force for a period of fourteen years.


Trinity church, The Swift Creek Baptist Church, Nazareth Church, Mount Lebanon, Aiken Lodge, No. 7, Lafayette Lodge No. 8, Incorporated.

XVII. That the Societies and Companies aforesaid shall have succession of officers and members according to their respective by-laws, and shall have power respectively to make by-laws not repugnant to the laws of the land; to have, use and keep a common seal and the same to alter at will, to sue and be sued, plead and be impleaded in any Court within this State, and to have and enjoy every right incident to incorporations. They are hereby empowered to retain, possess and enjoy all such property as they may respectively possess and be entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them; and to sell, alien, or in any way transfer the same or any part thereof. *Provided*, the property held by the "Trinity Church," "The Swift Creek Baptist Church of Darlington," "Nazareth Church," and "Mount Lebanon," shall in no case exceed five thousand dollars. And that held by the other Associations aforesaid shall not respectively, exceed five thousand dollars.

Powers.

XVIII. That the "New Hope Baptist Church," in Spartanburgh District; "The Union Light Infantry Charitable Society," a Company attached to the

New Hope Baptist Church The U. S.

A. D. 1845.  seventeenth regiment South Carolina Militia; "Humility Lodge, No. 12, of Ancient Free Masons," at Branchville, be, and the same are hereby re-
 Light Infantry incorporated with the same powers and privileges heretofore granted to each
 Charitable Society, incorporated respectively. This Act to continue of force for the term of fourteen years,
 and until the end of the ensuing Legislature.

Spartanburgh incorporated. XIX. That the Act incorporating the village of Spartanburg, be, and is hereby continued of force for a term of fourteen years from and after the expiration of their present charter, and until the end of the Legislature next succeeding.

The Vacluse Manufacturing Company incorporated. XX. That "The Vacluse Manufacturing Company," chartered by an Act of the General Assembly of this State, passed on the nineteenth day of December, eighteen hundred and thirty three, be and the same is hereby renewed and declared of force for the unexpired term thereof. And that William Gregg, James Jones and their associates and successors be and hereby invested with all the powers and privileges, and subject to all the restrictions contained in said Act of incorporation.

Mount Pleasant incorporated. XXI. That the town of "Mount Pleasant" shall hereafter be governed by an Intendant and six Wardens, who shall be elected in the same manner, and shall exercise the same powers and privileges as are prescribed by the Act of Incorporation.

Powers of corporation. XXII. That the said Intendant and Wardens shall have the full and exclusive power of granting licenses for billiard tables, to keep taverns, or retail spirituous liquors within the said town, which licenses shall be granted in the same manner and upon the same conditions, as they are now granted by Commissioners of roads under the laws of the State, and that all monies paid for licenses for retailing spirituous liquors, keeping taverns and billiard tables within the said limits, shall be paid to the Treasurer of the said Town Council for the public uses of the corporation.

Further powers. XXIII. That the said Town Council shall be vested with full power and authority to make such assessment, or to levy such taxes on the inhabitants of Mount Pleasant, or those who hold taxable property within the same, for the safety, convenience, benefit and advantage of the said town, as shall appear to them expedient; and shall have power to impose upon each free negro, between the ages of fifteen and fifty years, residing within the limits of the said town, an annual capitation tax not exceeding two dollars; and the said Town Council shall hereafter be authorized to enforce the payment of taxes and assessments levied on the property and persons of defaulters, to the same extent and in the same manner as is provided by law for the collection and payment of the General State Tax.

Further powers. XXIV. That the said Town Council shall be authorized to appoint a Marshal, who shall have power to collect all fines and forfeitures which may be imposed by the Intendant and Wardens in Council, in the same manner and to the same extent as Sheriffs are authorized to do by the laws of this State; and all the fines and forfeitures for offences committed within the said town against any of the by-laws or ordinances of the same, which may be recoverable in the Court of Common Pleas and General Sessions for Charleston District, shall be paid to the Treasurer of the said Town Council, to be appropriated to the public use and advantage of the corporation.

Plantation of William Lucas, exempted from corporation taxes. XXV. That the part of the plantation of William Lucas, lying within the corporate limits of said town, and separated from the rest of said town by Boundary street, be, and the same is hereby exempted from taxation as town or village property.

XXVI. That from and after the term of the expiration of the present Charter of the Bridge across the Savannah River at Hamburg, the said Charter shall be vested in the South Carolina Rail Road Company, with power to levy and receive tolls at half the rate now allowed by law; and the said Rail Road Company shall continue to hold and enjoy all of the rights, benefits and immunities conferred upon it by this Act for the term of fourteen years.

A. 345.

 Charter of Bridge across Savannah River at Hamburg, vested in South Carolina Rail Road Company to perform certain acts in consideration thereof.

XXVII. That the said Rail Road Company shall pay to the proprietors of the present Bridge such compensation for that portion of the Bridge which is in South Carolina, as may be adjudged by five Commissioners, two to be chosen by the Rail Road Company, and two by the proprietors of the Bridge, and the said four Commissioners shall choose a fifth, who shall assess the actual value of the property, not including any charter privileges: and in case of disagreement among said Commissioners, or if the proprietors shall decline or neglect, on being duly notified in writing one month beforehand, to appoint Commissioners, or shall decline to abide by the award of said Commissioners, or either party shall be dissatisfied by the same, and desire to appeal therefrom, then it shall be lawful for either of said parties to file a suggestion in the Court of Common Pleas of Edgefield District, and the damages shall be assessed by a Jury under the direction of the Court, upon proof being made, that notice in writing of such proceeding has been served at least thirty days before on the other party, or that it has been published at least one month in a newspaper in Augusta and in one in Hamburg; and the sum so assessed shall be paid to the proprietor by the said Rail Road Company at the expiration of the Charter heretofore granted by this State.

XXVIII. That the grant of privileges hereby given to the South Carolina Rail Road Company, shall be subject to the forty-first Section of the Act entitled "An Act to incorporate certain villages, societies, and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which Charters of Incorporations will hereafter be granted; but the acceptance of the said grant by the said Company, shall not be construed so as to subject to the operation of the said section, any other rights or privileges of the said Company." Said Company subjected to further conditions.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate,*

W. F. COLCOCK, *Speaker of the House of Representatives.*

AN ACT TO INCORPORATE "THE BELVIDERE MANUFACTURING COMPANY IN No. 2952. THE STATE OF SOUTH CAROLINA."

I. *Be it enacted*, By the Senate and the House of Representatives, now Incorporated met and sitting in General Assembly, and by the authority of the same, That James M. Stocker, Thomas J. Kerr and Joseph Prevost, and their associates

A. 1845.

and successors, are hereby made and created a body politic and corporate by the name of the "Belvidere Manufacturing Company," for the purpose of spinning and finishing all goods of which Cotton or other fibrous materials form a part, as well as manufacturing all machinery used for such purposes, and for the transaction of such business as may be necessarily connected therewith, and may erect such Mills and other works as may be required to carry on such branches of manufacture, and they shall have power to raise by subscription, in shares of One Hundred Dollars each, a capital of Fifty Thousand Dollars.

Powers.

II. That the said Corporation may purchase and hold such Real Estate in the State of South Carolina, as may be required for the purposes of said Corporation, or such as they may be obliged, or deem it for their interest to take in the settlement or payment of any debt due the said Corporation, and may dispose of the same, and may sue and be sued in all Courts of Law or Equity, may have and use a common seal, and make such by-laws for their regulation and government as they shall see proper, provided the same are not inconsistent with the Constitution and Laws of the United States or of this State.

Not to commence operation until certain conditions complied with.

III. That the said Corporation shall not go into operation until Twenty five thousand dollars of the capital stock shall be paid in gold or silver coin, or in current bank notes of specie paying banks of this State, and an oath or affirmation thereof shall be made by the Treasurer and a majority of the Directors of the said Corporation, and recorded in the office of the Secretary of State, and published in at least two respectable newspapers in the State, one as near the establishment as circumstances will admit, the other in the city of Charleston, and this shall be repeated after the payment of each instalment until the whole capital is paid in.

Liabilities.

IV. The members of the said Corporation shall be liable jointly and severally for all debts and contracts made by such Corporation until the whole amount of the capital stock authorized to be subscribed as aforesaid, shall have been actually paid in; and no note or obligation given by any Stockholder, whether secured by a pledge of the stock in such Corporation or otherwise, shall be considered as payment of any part of the capital stock, until such notes or obligations shall have been actually paid.

Capital Stock liable for debts of Company.

V. That the capital stock aforesaid, shall be deemed personal estate, and be transferable on the books of the said Corporation; and no part of the said capital stock shall at any time or upon any pretence whatever, be loaned to or divided amongst the stockholders for dividends, neither shall it be withdrawn or refunded to the stockholders until all the debts or liabilities of the said Corporation are fully paid; and each stockholder shall in the election of Directors and at all meetings of the stockholders, have one vote for each share of the stock he holds in said Company.

Each share to represent a vote.

What amount of stock to be paid in before doing business.

VI. That James M. Stocker, Thomas J. Kerr and Joseph Prevost, or a majority of them, may open books and take subscriptions for the capital stock in such manner as they may deem expedient, and whenever such subscriptions amount to fifty thousand dollars, and twenty-five thousand dollars of the capital stock shall have been paid in as aforesaid, the stockholders having had two weeks notice in writing, or in a newspaper published in the District where said Corporation is located, shall proceed to elect such Directors and Officers as they may deem necessary for conducting the affairs of the Company, the same to hold office until their successors shall be elected, and such Directors

or their successors shall have power to dispose of any remainder of the stock which may not have been subscribed for, in such manner and at such time as they may deem fit. A. D. 1845.

VII. That the Directors shall submit annually to the Stockholders a written statement under the oath or affirmation of the Treasurer of the Corporation, of the amount of the capital stock paid in, and the amount of all existing debts against the Company, which statement shall be published in a newspaper located nearest to said company; and no dividend shall be declared or paid to the stockholders, except it be from the net profits of said corporation; and the debts of said Corporation shall at no time be suffered to exceed the capital stock paid in. Annual statements to be made, and dividends how to be made.

VIII. That this Act shall continue in force for fourteen years; no part of the capital stock or any of the funds of the said Corporation shall at any time during the continuance of this Charter, be used or employed, directly or indirectly in banking operations, or for any purpose whatever inconsistent with this Act. Capital stock not to be employed for banking.

IX. That if the proprietor of any share shall neglect to pay any instalment assessed thereon, for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the Company may sell by public auction a sufficient number of such delinquent's shares, to pay all instalments then due from him, with all necessary and incidental charges; the Treasurer shall give notice of the time and place of such sale, and of the sum due on each share, by advertising the same three weeks successively before the sale, in some newspaper printed in the District where the Manufactory is established, if any is printed therein, or if no newspaper be printed therein, then in some newspaper printed in an adjoining District; and a deed of sale of the shares so sold, made by the Treasurer, shall transfer said shares to the purchaser, and he shall be entitled to a certificate thereof. Penalty for delinquent subscribers.

X. The total amount of the debts which the said Corporation shall at any time owe, shall not exceed the amount of its capital stock actually paid in, and in case of excess, the Directors under whose administration it shall happen shall be jointly and severally liable for the same in their natural capacities. Such of the said Directors, as may have been absent when the said excess was contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact to the stockholders, at a general meeting, which they shall have power to call for that purpose. Directors to be individually liable for the debts of the company.

XI. That the service of the Process of any Court of this State, shall be legal and valid on said body politic and corporate, if the same shall be left at the Manufactory: *Provided*, the President of the Company is absent from and beyond the limits of the District where the said Manufactory is located. Judicial process to be good if left at the Manufactory.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives*

A. D. 1845- AN ACT TO AUTHORIZE THE FORMATION OF THE GREENVILLE AND Co-
 LUMBIA RAILROAD COMPANY.

No. 2953.
 Incorporated

I. *Be it enacted*, by the Senate and House of Representatives, now met and sitting in General Assembly and by the authority of the same, That the formation of a corporate Company is hereby authorized for the construction of a Railroad on the most practicable route from the town of Columbia to the town of Greenville, passing through the villages of Newberry and Laurens, which said company shall have the exclusive right to make, keep up and use such Railroad, and for the term of time hereinafter to be mentioned, no other Railroad shall be constructed from Columbia to Greenville.

Stock of Com-
 pany.

II. That the stock of the Company hereby authorized shall consist of ten thousand shares of one hundred dollars each; but the said company shall be at liberty to enlarge their said capital as in the progress of their undertaking they may find necessary, either by additional assessment on the original shares not to exceed in the whole, the sum of twenty dollars on each original share or by new subscriptions of not more than one hundred dollars each; the terms and conditions of which new subscriptions the said Company is authorized to prescribe: and it shall be lawful for the said Company from time to time to invest so much of their capital or of their profits as may not be required for immediate use, and until it may be so required in public stock or stocks of any Bank or other incorporated body, and to draw and apply the dividends, and to a sell or transfer as they shall see fit, any portion of the stock.

Subscription
 Books when to
 be opened.

III. That the books for subscription of the stock of the said Company hereby authorized shall be opened at Charleston, Columbia, Newberry Court House, Laurens Court House, Greenville Court House, Anderson Court House, Pendleton Village, Pickens Court House, and Spartanburg Court House, by three Commissions in each place, to be appointed by the Governor, and the books shall be opened in each of the said places on the same day, to wit: the first Monday of March next, and be kept open at each place for four days thereafter, between the hours of nine o'clock, A. M., and three o'clock, P. M., notice whereof shall be given by each set of Commissioners of the times and places of subscribing, either by advertising in a gazette or such other manuer as they may deem best, for at least one month prior to the time for opening said books; upon the books being opened, individuals may subscribe for as many shares as they see fit, paying to the Commissioners at the time of subscription, five dollars on each share subscribed for; and the Commissioners shall designate in the books opposite to the names of the subscribers, the day of subscription, the number of shares subscribed and the sum of money paid respectively; and for the sums so paid the Commissioners shall give receipt to the individuals paying, and as soon as may be, deposite the money in the Bank of the State of South Carolina, the Charleston Bank and the Commercial Bank of Columbia, subject for so much thereof as may be refunded to subscribers upon adjustment made in case of over subscription to the joint check of said Commissioners, and subject for the balance to the check or order of said Company, through its President and Directors.

Duties of Com-
 missioners.

IV. That when the books shall be closed on the last day, the Commissioners at each of the places before designated respectively, shall transmit to the Commissioners in Greenville, a list of the subscribers, with such designations, as are contained in the subscription books, with a certificate appended

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thereto, to be signed by each Commissioner, that the money is deposited in Bank conformably to this Act, naming the Bank; and thereupon the Commissioners in Greenville, from all the list of subscribers, shall prepare a general list, and ascertain whether the shares subscribed are equal to the capital prescribed for the Company or greater or less in amount than the said capital. If the number of the shares subscribed shall exceed ten thousand, then the shares shall be reduced ratably to that number; except that no subscription of five shares or under shall be reduced. If the number of shares subscribed shall be less than three thousand the Commissioners in Greenville may keep the books open at that place, until the number of three thousand shares shall be subscribed. If the number of shares subscribed shall amount to three thousand, the said Company may thereupon be formed, and when organized may cause the books to be opened by the Directors, after sixty days notice of the time and place of subscription, and receive such subscriptions as can be obtained, and may keep open the books until the whole amount of ten thousand shares shall have been subscribed.

V. That as soon as the number of three thousand shares shall have been subscribed in manner aforesaid, the Company shall be considered as formed, and this Act of Incorporation shall attach and become effectual, and the Company may take measures for complete organization. To this end the Commissioners in Greenville shall appoint a convenient time and place for the meeting of stock holders, and shall cause the same to be advertised in the public gazettes for four weeks previous to the day of meeting; at which time and place the subscribers of stock may attend in person or by proxy; and the meeting having assembled and a proper registry made of all the subscribers who may be in attendance in person or by proxy, the Commissioners at Greenville or a majority of them attending, shall present a ballot box in which the subscribers may vote by ballot for a President and twelve Directors, to serve for one year and until a new election be made; and the presiding Commissioners shall count the ballots, declare the election and make and deliver proper certificates thereof under their hands.

VI. That in the said election and in all future elections of President and Directors, and in the making, altering, and repealing of by-laws, and in determining on measures involving the interests of the Company, at any stated or occasional corporate meeting, the votes of the stock holders shall be taken and governed by the scale and regulations following: The owner of one or two shares shall be entitled to one vote; the owner of three or four shares shall be entitled to two votes; the owner of five or six shares shall be entitled to three votes; the owner of seven or eight shares to four votes; the owner of not less than nine nor more than eleven shares to five votes; the owner of not less than twelve nor more than fifteen shares to six votes; the owner of not less than sixteen nor more than twenty shares to seven votes; the owner of not less than twenty-one nor more than twenty-six shares to eight votes; the owner of not less than twenty-seven nor more than thirty-three shares to nine votes; the owner of not less than thirty-four nor more than forty shares to ten votes; and the owner of shares above forty shall be entitled to one vote for every ten shares above forty. No one but a subscriber shall be capable of being a proxy, and the appointment of a proxy shall be in writing, signed by the stock holder appointing and authenticated by affidavit of a subscribing witness, before some lawful Magistrate, and endorsed upon the writing of appointment: any person offering to vote as a proxy, may be

When the company to be considered formed

Votes of stock-holders how to be regulated

Proxies, &c.

A. D. 1845.

required by any stock holder to swear that he has no interest directly or indirectly in the stock on which he offers to vote as proxy—a trustee of stock shall not vote on shares held by him in trust, expressed or declared, where the cestui que trust holds other shares, either in his own name or in the name of another trustee; but the cestui que trust may vote on all shares owned by him, whether legally or equitably, according to the scale aforesaid.

Election of President and Directors.

VII. That the election of President and Directors shall be made annually according to the by-laws, to be made for the purpose, and in case any vacancy occur in the Board, between two periods of general election, a majority of the Board of Directors at any regular or stated meeting of the Board, may elect by ballot from the stock holders, a person to fill the vacancy so occurred, until the next general election of Directors. But if it happens that the day of annual election of President and Directors shall pass without election as to all or any of them being effected, the Corporation shall not be dissolved nor discontinued thereby; but it shall be lawful on any other day to hold and to make such election in such manner as may be prescribed by the by-laws of the corporation, subject to the scale and regulations of the sixth section of this act.

Style and powers of Company.

VIII. That the said Company to be organized as aforesaid shall be called "The Greenville and Columbia Railroad Company," and have perpetual succession of members; may make and have a common seal and break and alter it at pleasure; may sue and be sued, answer and be answered unto by their corporate name aforesaid in all courts of law and equity or judicial tribunals in this State, and shall be capable at all times of making and establishing, altering and revoking all such regulations, rules and by laws for the government of the Company and its direction, as they may find necessary and proper for effecting the ends and purposes intended by the association and contemplated by this Act; *Provided*, such regulations, rules and by-laws be not repugnant to the Constitution and Laws of the State.

Further powers.

9. That the said Greenville and Columbia Railroad Company shall have power and capacity to purchase, take and hold in fee simple or for years, to them and their successors, any lands, tenements or hereditaments, that they might find necessary for the site on and along which to locate, run and establish the Railroad aforesaid, or to vary or to alter the plan or plans to such breadth or dimensions through the whole course of the road as they may see fit; and in like manner to purchase, take and hold any land contiguous to or in the vicinity of the said Railroad, that they may find necessary for the procuring, and from time to time readily obtaining all proper materials of what kind soever, for constructing, repairing, guarding and sustaining the said Railroad, and in like manner to purchase all private rights of way or water courses that may lie on or across the route through which the said Railroad may pass, and also all of lands contiguous thereto, that may be found necessary for the erecting of toll houses, store houses, work shops, barns, stables, residences and accommodations for servants, agents and mechanics, and for the stabling and maintaining all animals of labor; and the said Company shall have power if need be, to conduct their Railroad across and over any public road, river, creek, waters, or water courses that may be in the route: *Provided*, That the passage of the public road or navigation of the stream be not obstructed thereby.

Right of way how to be determined.

10. That in any case where lands or private rights of way may be required by the said Company for the purposes aforesaid, and the same cannot be pu-

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chased from the owner or owners for want of agreement of the parties as to price or from any other cause, the same may be taken by the Company at a valuation to be made by the Commissioners or a majority of them to be appointed by the Court of Common Pleas of the District in which any part of the land or right of way may be situated, and the said Commissioners before they act, shall severally take an oath before some Magistrate, faithfully and impartially to discharge the duty assigned to them. In making the said valuation the said Commissioners shall take into consideration the loss or damage which may occur to the owner or owners in consequence of the land or the right of way being taken; and also the benefit or advantage he, she, or they may receive from the establishment or erection of the Railroad and works, and shall state particularly the nature and amount of each, and the excess of loss and damage over and above the benefit and advantage, shall form the measure of valuation of said land or right of way. The proceedings of the said Commissioners accompanied with a full description and plat of the said land shall be returned under the hands and seals of a majority of the said Commissioners to the Court from which the commission issued, there to remain of record. Either party to the proceeding may appeal from the said valuation to the next session of the Court granting the Commission, giving reasonable notice to the opposite party of such appeal, and the Court upon satisfactory proof that the appellant has been injured by such valuation shall order a new valuation, to be made by a jury, who shall be charged therewith in the same term and their verdict shall be final and conclusive between the parties, unless a new trial be granted; and the lands and right of way so valued by the Commissioners or Jury shall vest in the said Company in fee simple, so soon as the valuation thereof may be paid, or tendered and refused. Where there shall be an appeal as aforesaid from the valuation of Commissioners by either of the parties, the pendency of such appeal shall not prevent the Company from proceeding in the construction of their work in and upon said land or way; but when the appeal shall be made by the Company requiring the surrender they shall be at liberty to proceed in their work, only on condition, of giving to the opposite party a bond with good security, to be approved by the Clerk of the Court where the valuation is returned, in a penalty equal to double the said valuation, conditioned for the payment of said valuation and interest, in case the same be sustained, and in case it be reversed, for the payment of the valuation thereafter to be made by the jury, and confirmed by the Court. In all assessments made by the Commissioners or Jury as aforesaid, after the construction of the road or of the part thereof upon the land to be valued, reference shall be had to the true value of the land at the time of the erection of the said road or part thereof, and the use thereof by said Company for the purposes of said road shall be considered as an actual possession of said land covered by said road, and the space of one hundred feet on both sides of said road as aforesaid.

XI. That in the absence of any written contract between the said Company and the owner or owners of land, through which the said Railroad may be constructed, in relation to said land, it shall be presumed that the land upon which the said Railroad may be constructed, together with one hundred feet on each side of the centre of said road, has been granted to the said Company by the owner or owners thereof, and the said Company shall have good right and title to the same, (and shall have, hold and enjoy the same) unto them and their successors, so long as the same may be used only for the purposes of the said road and no longer, unless the person or persons to

Title of Lands
when to be pre-
sumed in favor
of Company.

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whom any right or title to such lands, tenements or hereditaments descend or come, shall prosecute the same within two years next after the construction of such part or portion of the said road as may be constructed upon the lands of the person or persons so having or acquiring such right to the title as aforesaid, and if any person or persons to whom any right or title to such lands, tenements or hereditaments belong or shall hereafter descend or come do not prosecute the same within two years next after the construction of the part of the said road upon the lands of the person or persons so having or acquiring such right or title as aforesaid, then he or they, and all claiming under him or them shall be forever barred to recover the same: *Provided*, That nothing herein contained shall affect the right of feme covert, infants or persons beyond seas, until two years after the removal of their respective disabilities.

State Lands
granted to
Company.

XII. That all lands not heretofore granted to any person nor appropriated by law to the use of the State, within one mile from the centre from the main track of the said road that may be constructed, be, and they are hereby vested in the said Company and their successors, so long as the same may be used for the purposes of the said road and no longer.

Company to
have exclusive
right of convey-
ance of passen-
sengers, &c.

XIII. That the said Company shall at all times have the exclusive right of conveyance or transportation of persons, merchandize and produce over the Railroad, to be by them constructed, while they see fit to exercise the exclusive right; and the said Company are hereby authorized to fix and determine upon such rates of charge for the transportation of persons, merchandize and produce, as to them shall seem necessary and proper to secure a reasonable and adequate return upon the capital invested: *Provided*, That the average annual yield on such capital, after all expenses paid, shall not exceed ten per centum. The said Company may, when they see fit, let or farm out all or any part of their exclusive right of transportation of persons, merchandize and produce, with their privileges to any individual or individuals or other Company, and for such terms as may be agreed upon, subject always to the proviso contained in this section, in relation to the rates of charge, and the said Company in the exercise of their right of conveyance and transportation of persons or property, and the persons so taken from the Company the right of conveyance or transportation, so far as they act on the same, shall be regarded as common carriers—and the said Company may use or employ any sections of their proposed Railroad, before the whole shall be completed, which may afford public accommodation for the conveyance of persons, merchandize and produce: and the said Company shall have power to take at the store houses, they may establish or annex to the said Railroad, all goods, wares, merchandize and produce intended for transportation or conveyance, prescribe the rules of priority, and charge such reasonable prices and compensation for storage and labor, as they may by regulations establish, (which regulations they shall publish) or as may be agreed upon with the owners.

Permitted to
farm out por-
tions of the
road.

XIV. That whenever the said Company shall see fit to farm out as aforesaid, to any other person or persons or body corporate, any part of their exclusive right of conveyance and transportation, or shall deem it expedient to open the said Railroad or any part thereof to public use, they shall and may adopt and enforce any necessary rules and regulations, and have power to prescribe the construction and size or burthen of all carriages and vehicles, and the materials of which they shall be made, that shall be permitted to be

used or pass on the said Railroad and the locomotive power that shall be used with them. A. D. 1845.

XV. That if any person or persons shall intrude upon said Railroad, or any part thereof, by any manner or use thereof, or of the rights or privileges connected therewith, without the permission, or contrary to the will of the said Company, he, she or they, shall forfeit to the Company all the vehicles, articles, and animals, that may be so intrusively introduced, and used thereon, and the same may be seized by the Company, or its agents, or recovered by a suit at law; and moreover, the person or persons so intruding, shall and may be indicted as for a misdemeanor, and upon conviction, be fined or imprisoned in the discretion of the Court of Sessions in the District in which he, she or they, shall be tried and convicted, and if any person shall wilfully and maliciously destroy, or in any manner hurt, damage, injure, or obstruct the said Railroad, or any vehicle, edifice, right or privilege, granted by this Act, and constructed and employed under the authority thereof, such person, so offending, shall be liable to be indicted as for a misdemeanor therefor, and on conviction thereof, shall be imprisoned not more than six months, and be fined not more than five hundred, nor less than twenty dollars, and shall be further liable to pay to the said Company, any damages occasioned by the said injury, and all expenses of repairing the same. The one half of all fines that may be imposed by the Court under this Act, shall be paid to the informer, and the other half to the said Company. The provisions of this section shall be extended as well to the owners of the lands through which the said road may be constructed, as to other persons, and no owner, or other person claiming under him, or her, shall avoid the said provisions by the plea of *Liberum tenementum*, or by any other plea whatever.

Intrusions on the Road how punished.

XVI. That the exclusive right to make, keep up, and use, the said Railroad, and the conveyance and transportation thereupon, shall vest and continue in the said Company, for and during the term of thirty-six years, to be computed from the time of the corporate existence of the Company, and that during the said term of thirty-six years, the stock of the said Company, and the real estate that may be purchased by them, and be connected with, or subservient to their works, hereby authorized, shall be exempted from taxation, and after the lapse of the said term of thirty-six years, the said Greenville and Columbia Railroad Company, shall be and remain incorporate, and be vested with all the estate, powers and privileges, as to their own works, herein granted and secured, except that the Legislature may authorize the formation of other companies, and the construction of other Railroads, for the trade or intercourse contemplated therein, but the Legislature may renew and extend the exclusive right of said Greenville and Columbia Railroad, upon such terms as may be prescribed by law, and accepted by said Company: *Provided*, That the subscription of stock in the said Company, be filled up to the amount of three thousand shares, within thirteen months from the passing of this Act, and the said Railroad be commenced within two years, and be completed within ten years after the shares shall be subscribed.

Term of Charter 36 years.

Proviso:

XVII. That after the President and Directors shall be elected, as aforesaid, it shall always be in the power of the President and Directors of the Company at a meeting of the Board, a majority being present, to nominate and appoint a Secretary, a Treasurer, and all other Officers, Agents and Servants, that they may deem necessary, or that may be prescribed in the by-laws of the said Company, and to remove the same at pleasure, and also, to require and take from all the Officers, Agents and Servants, such bond, or

President and Directors to appoint other officers.

A. D. 1845. bonds and security, as the Board, or the by-laws, may prescribe, for securing the fidelity, obedience, and accountability of the said Officers, Agents, and Servants, and their punctual surrender and delivery of all monies and property, on the termination of their offices, by resignation, removal, or expiration of their term.

Other powers
of President
and Directors.

XVIII. That the President and Directors, by an order signed by the President, shall have power to draw from the Banks, all such sums of money as may have been received by the different sets of Commissioners, for the first payment by subscribers upon their subscriptions of Stock, as before provided, except the sums for such shares as may be cancelled and thrown out, upon adjustment of the shares, in case of over subscriptions, which shall be drawn and repaid to the subscribers of such shares, by the Commissioners respectively, before whom such subscriptions were made, immediately upon notification to said Commissioners of such adjustment.

Time for pay-
ing instal-
ments.

XIX. That every subscriber, or holder of Stock in said Company, shall pay to the Company the amount of the shares by him, or her, subscribed, or held, in such instalments, not exceeding five dollars on each share at one time, and at such periods, with intervals of not less than sixty days, as shall be prescribed and called for by the Directors; of which periods of payments, and the sums required, the Board of Directors shall cause public notice to be given for at least four weeks previous to such periods of payment, by advertisement in one of the Gazettes published at Greenville, or Columbia, and on failure of any subscriber, or Stock holder, to pay up any instalments so called for by the Directors, the shares upon which default shall be made, together with any past payment thereon, shall be forfeited to the Company, and be appropriated as they shall see fit. And the said Company shall and may prescribe, in and by their by-laws, rules and regulations, the mode of issuing the evidence of shares of Stock, and the manner, terms and conditions of assigning and transferring shares of the Stock.

Assessments
how to be
made

XX. That if the said Company determine to increase their capital Stock, by additional assessments on the original shares, as herein before provided, the sums so assessed, shall be called for, in such instalments, at such periods, and such notices, and not otherwise, as are provided in the nineteenth section of this Act; and failure to pay up such assessments, shall induce a forfeiture to the Company, in like manner as provided in said section, of the shares of Stock on which default shall be made.

Style of Com-
pany and
powers.

XXI. That the President and Directors, shall be styled the Direction of the Company, and shall have power to call for all instalments, declare all dividends of profits, make all contracts and agreements in behalf of the Company, and to do and perform all other lawful acts and deeds, which, by the by-laws of corporations, they may be authorised and required to do and perform; and the acts, or contracts of the Direction, authorised by the signatures of the President and Secretary, shall be binding on the Company, without seal. The Direction shall not exceed, in their contracts, the amount of the capital in the Company, and in case they do so, the President and Directors, who are present at the meeting, when any such contract, exceeding the capital, shall be made, shall be jointly and severally liable for the excess, as well to the Contractors, as to the Company—provided, that any one may discharge himself from such liability, by voting against such contract, causing such vote to be recorded in the minutes of the Direction, and giving notice thereof to the next general meeting of the Stock holders. The Direction shall keep regular minutes of all their meetings, and of the acts there done,

and they shall make a full report of the state of the Company, and of its affairs, to a general meeting of the Stock holders, at least once in every year and oftener, if so directed by the by-laws, and they shall have power to call a general meeting of the Stock holders, when they may deem it expedient, and the Company may provide in their by-laws, for occasional meetings of the Stock holders, and prescribe the mode of calling the same. A. D. 1845.

XXII. That the following officers and persons, while in the actual employment of the said Company, shall be exempt from the performance of ordinary militia duty, and from service on juries, viz: The Chief Engineer, and Assistant Engineers, the Commissioner, and Superintending officer, the Secretary, and the Treasurer of the Directors, the Keeper of the Depository, the Guards stationed on the Road, to protect it from injury, (not exceeding one white man to every five miles,) and such persons as may be actually employed in working the Locomotive Engines, and in travelling with Cars, for the purpose of attending to the transportation of passengers, or goods, on the said Road, not exceeding one white Engineer and his white Assistant, to each Engine, and one white person to each passenger Car, and to every five Cars for the transportation of goods. Officers exempted from militia duty.

XXIII. That the President and Directors of said Company, be and they are hereby required to make a report on the condition and business of said Company, to the Comptroller General, on the first of October, in each and every period of five years, after the construction of any portion, or portions of said Rail Road shall have been completed and opened for transportation. President and Directors to report to the Comptroller General every five years.

XXIV. That the powers and privileges herein before granted, shall not be so construed as to prevent the Legislature from making further grants of Ferries, Bridges, and Turnpike Roads, within any distance of the same, whenever the convenience of the community may require such further grants. Powers and Privileges granted to this Company not to be exclusive

XXV. That the said Greenville and Columbia Rail Road Company, shall be and is hereby excepted from the provisions of the forty-first section of an Act entitled "An Act to Incorporate certain Villages, Societies and Companies," and to renew and amend certain Charters heretofore granted, and to establish the principles on which Charters of Incorporation will hereafter be granted;" ratified on the seventeenth day of December, in the year of our Lord one thousand eight hundred and forty-one, but nothing herein contained, shall be construed to exempt the said Company from provisions of the said forty-first section, upon any future grant, renewal, or modification of their Charter. Company exempted from certain conditions.

XXVI. That the said Company may unite with and become a part of the South Carolina Rail Road Company, if the two Companies shall agree upon terms of amalgamation, and all the privileges granted by this Act, shall in that event be assigned to and become privileges of the said South Carolina Rail Road Company. Company may unite with So. Ca. Rail Road Company.

XXVII. That this Act shall be deemed a Public Act.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

A. D. 1845. AN ACT TO INCORPORATE THE "GRANITEVILLE MANUFACTURING COMPANY"
No. 2954.
IN THE STATE OF SOUTH CAROLINA.

Graniteville
Manufacturing
Company in-
corporated.

I. *Be it enacted* by the Honorable the Senate and House of Representatives now met and sitting in General Assembly, and by the authority of the same, that William Gregg, Hiram Hutchison, Otis Mills, Joel Smith, and their associates and successors, are hereby made and created a body politic and corporate in Law, by the name of the "Graniteville Manufacturing Company," for the purpose of Manufacturing, dying, printing and finishing all goods of which Cotton or other fibrous articles may form a part, as well as all machinery used for such purposes, and for the transactions of such business as may be necessarily connected therewith, and may erect such Mills and other works as may be required to carry on such branches of manufacture, and they shall have power to raise, by subscription, in shares of five hundred dollars each, a capital of three hundred thousand dollars.

Powers.

II. And be it further enacted by the authority aforesaid, that the said corporation may purchase and hold such real estate as may be required for the purposes of said corporation, or such as they may be obliged or deem it for their interest to take in the settlement of any debts due the said corporation, and may dispose of the same; and may sue and be sued in all Courts of Law and Equity, may have and use a common seal, and make such by-laws for their regulation and government as they may see proper; *Provided*, they are not inconsistent with the Constitution and Laws of the United States, and of this State.

When Compa-
ny shall go into
operation.

III. That the said Corporation shall not go into operation until one hundred and fifty thousand dollars of the capital stock shall be paid, in Gold or Silver, or the current Bank notes of this State, and an oath or affirmation thereof shall be made by the President, Treasurer, and a majority of the Board of Directors, which shall be recorded in the Secretary of States' Office, and published in at least two respectable newspapers in the State, one as near the establishment as circumstances will admit, the other in the city of Charleston, and this shall be repeated after the payment of each instalment until the whole capital is paid in.

Members of
Company,
jointly and sev-
erally liable—
how much.

IV. The members of the said corporation shall be liable jointly and severally for all debts and contracts made by such corporation, until the whole amount of the Capital Stock authorised to be subscribed as aforesaid, shall have been actually paid in; and no note or obligation given by any Stockholder, whether secured by a pledge of the Stock in such corporation or otherwise, shall be considered as payment of any part of the capital stock, until such notes or obligations shall have been actually paid.

Stock how
transferable—
votes of stock-
holders.

V. That the Capital Stock shall be deemed personal property, and be transferable upon the books of the said corporation, and no part of the said capital stock, shall at any time or upon any pretence whatever be loaned to, or divided amongst the Stockholders, neither shall the capital be withdrawn or divided among the Stockholders until all the liabilities of the Company are lawfully paid, and no dividends shall be declared except from the net earnings of the Company. Each Stockholder shall have one vote for each share he may own or represent at the Election of Directors and all meetings of the Company.

When stock-
holders shall
forfeit their
stock.

VI. That if the proprietor of any share shall neglect to pay any instalment assessed thereon, for the space of thirty days after the time appointed

for the payment thereof, the Treasurer of the Company, by the order of the Directors may sell by public auction a sufficient number of such delinquent shares to pay all instalments then due from him with all necessary incidental charges. The Treasurer shall give notice of the time and place of sales, and of the sum due on each share, by advertising the same three weeks successively before the sale in some newspaper which may be printed near the vicinity of the establishment, and a bill of sale of the share so sold, made by the Treasurer shall transfer said stock to the purchaser who shall be entitled to a certificate thereof.

A. D. 1815.

VII. That William Gregg, Hiram Hutchison, Otis Mills and Joel Smith may open Books and take subscriptions for the capital stock in such manner as they may deem expedient; and whenever such subscriptions shall amount to one hundred and fifty thousand dollars, the stockholders having had two weeks notice in writing, or in a public Newspaper in the vicinity of the establishment, may meet and proceed to elect such directors and officers as they may deem necessary for conducting the affairs of the Company, they to hold office until their successors shall be elected, and such directors or their successors shall have power to dispose of any remainder of stock which may not have been subscribed for, in such manner and at such times as they may deem fit.

Commissioners to receive subscriptions.

VIII. That the Directors shall submit to the stockholders annually a written statement under oath, or affirmation of the Treasurer of the Corporation, setting forth the amount of Capital Stock paid in, and general assets of the Company, and also of the amount of all then existing debts; which statement shall be published in a newspaper located nearest to said Manufactory.

Annual statement to be made.

IX. That the service of the process of any Court of this State, shall be legal and valid on said body politic and corporate, if the same shall be left at the Manufactory; *Provided*, the President of the Company is absent from and beyond the limits of the District where the said Manufactory is located; That this act shall continue in force for fourteen years, and no part of the capital stock or any of the funds of the said corporation shall at any time during the continuance of this charter, be used or employed directly or indirectly in Banking operations or for any purposes whatever inconsistent with this Act.

Process of Courts how to be left at manufactory.

X. The total amount of the debts which the said corporation shall at any time owe, shall not exceed the amount of its capital stock actually paid in, and in case of excess, the Directors, under whose administration it shall happen, shall be jointly and severally liable for the same in their natural capacities. Such of the said directors, as may have been absent when the said excess was contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact to the stockholders, at a general meeting, which they shall have power to call for that purpose.

What amount of debt the Company may at any time owe.

In the Senate House, the fifteenth day of December, in the year of our Lord, one thousand eight-hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate*,
W. F. COLCOCK, *Speaker of the House of Representatives*.

A. D. 1845. AN ACT TO INCORPORATE "THE ASHLEY MANUFACTURING COMPANY" IN THE
No. 2955. STATE OF SOUTH CAROLINA.

Ashley Manu-
facturing Com-
pany incorpo-
rated.

I. *Be it enacted*, by the honorable the Senate and House of Representa-
tives, now met and sitting in General Assen bly, and by the authority of the
same, that Robert Martin, James Adger, George Gibbon, and their associates
and successors are hereby made and created a body politic and corporate in
law, by the name of "The Ashley Manufacturing Company," for the purpose
of manufacturing, bleaching, dyeing, printing and finishing all goods, of
which Cotton or other fibrous materials, form a part, as well as all machinery
used for such purposes, and for the transaction of such business as may be
necessarily connected therewith, and may erect such Mills and other works
as may be required to carry on such branches of manufacture ; and they shall
have power to raise by subscription in shares of one thousand dollars each, a
capital of two hundred thousand dollars.

Powers of
Company.

II. That the said Corporation may purchase and hold such Estate in the
State of South Carolina, as may be required for the purposes of the said
corporation, or such as they may be obliged or deem it for their interests to
take in the settlement or payment of any debt or debts due the said corpora-
tion, and may dispose of the same, and may sue and be sued in all Courts of
Law or Equity ; may have and use a common seal, and make such by-laws
for their regulation and government as they may see proper. *Provided*, the
same are not inconsistent with the constitution and laws of the United States
and of this State.

What amount
to be paid in
before going
into operation.

III. That the said corporation shall not go into operation until one hundred
thousand dollars of the capital stock shall be paid in gold and silver coin, or in
current Bank notes of specie paying Banks of this State, and an oath or
affirmation thereof shall be made by the Treasurer and a majority of the
Directors of the Corporation and recorded in the office of the Secretary of
State, and published in at least two respectable newspapers in the State,
one as near the establishment as circumstances will admit, the other in the
city of Charleston, and this shall be repeated after the payment of each instal-
ment until the whole capital is paid in.

Members of
Company how
far liable.

IV. The members of the said corporation shall be liable jointly and sever-
ally for all debts and contracts made by such corporation, until the whole
amount of the capital stock authorized to be subscribed as aforesaid, shall
have been actually paid in ; and no note or obligation given by any stock-
holder, whether secured by a pledge of the stock in such corporation or
otherwise, shall be considered as payment of any part of the capital stock,
until such notes or obligations shall have been actually paid.

Stock how
transferable

V. That the capital stock shall be deemed personal estate and be transfer-
able upon the books of the said corporation ; and no part of the said capital
stock, shall at any time or upon any pretence whatsoever, be loaned to or
divided amongst the stockholders ; neither shall it be withdrawn or refunded
to the stockholders until all the debts and liabilities of the corporation are
fully paid, and each stockholder shall in the election of Directors and at all
meetings of the stockholders have one vote for each share of the stock he
holds in said corporation.

Subscription
books to be
opened.

VI. That Robert Martin, James Adger, George Gibbon, or a majority of
them may open books and take subscriptions for the capital stock in such
manner as they may deem expedient, and whenever such subscriptions amount
to one hundred thousand dollars, the stockholders having had two weeks

notice in writing, or in a newspaper published in the District where the said corporation is located, shall proceed to elect such directors and officers as they may deem necessary for conducting the affairs of the Company.— They to hold office until their successors are appointed and shall have power to dispose of any remainder of stock which may not have been subscribed for, in such manner and at such times as they may deem fit.

A. D. 1845.

VII. That the directors shall submit annually to the stockholders a written statement under oath or affirmation of the treasurer of the corporation, of the amount of the capital stock paid in, and the amount of all existing debts against the company, and no dividend shall be declared or paid to the stockholders, except it be from the net profits of the said corporation; and the debts of the said corporation shall at no time be suffered to exceed the capital stock paid in; which statement shall be published in a newspaper located nearest to said manufactory.

Annual statements to be made.

VIII. That this Act shall continue in force for fourteen years. No part of the capital stock or any of the funds of the said corporation shall at any time during the continuance of this charter be used and employed directly or indirectly in Banking operations or for any purpose whatsoever, inconsistent with this Act.

Act to continue in force 14 years.

IX. That if the proprietor of any share shall neglect to pay any instalment assessed thereon, for the space of thirty days after the time appointed for the payment thereof, the treasurer of the company may sell by public auction, a sufficient number of such delinquent's shares, to pay all instalments then due from him, with all necessary and incidental charges. The treasurer shall give notice of the time and place of such sale and of the sum due on each share, by advertising the same three weeks successively before the sale in some newspaper printed in the District where the manufactory is established, if any is printed therein, otherwise in some adjoining District, and a deed of the shares so sold made by the treasurer, shall transfer said shares to the purchaser and he shall be entitled to a certificate therefor.

When forfeited shares shall take place.

X. The total amount of the debts which the said corporation shall at any time owe, shall not exceed the amount of its capital stock actually paid in, and in case of excess, the directors, under whose administration it shall happen, shall be jointly and severally liable for the same in their natural capacities. Such of the said directors, as may have been absent when the said excess was contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact to the stockholders, at a general meeting, which they shall have power to call for that purpose.

Directors who individually liable for Company debts.

XI. That the service of the Process of any Court of this State shall be legal and valid on said body politic and corporate, and the same shall be left at the Manufactory; provided, the President of the Company is absent from and beyond the limits of the District where the said Manufactory is located.

Process of Courts how to be served.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the Ho. se of Representatives.*

A. D. 1845. AN ACT TO INCORPORATE THE VILLAGE OF SUMTERVILLE, AND FOR OTHER
 No. 2956. PURPOSES THEREIN MENTIONED.

Sumterville
 incorporated.

I. *Be it enacted*, by the Senate and House of Representatives now met and sitting in General Assembly, and by the authority of the same, That from and after the passing of this Act, all persons, citizens of the United States, having resided six months in the Village of Sumterville shall be deemed, and are hereby declared a body politic and corporate; and the said Village shall be called and known by the name of Sumterville, and its corporate limits shall extend three fourths of a mile in the direction of the Cardinal points from the Court House now standing in said Village as a centre and form a square; *Provided*, that the provisions of this Act extending the limits of the Corporation of Sumterville to an ideal line beyond the lots included in the said Village, shall not be construed to render the lands and buildings taken in by such extension, any more liable to be ranked as Village property, or property contiguous thereto in the collection of public taxes, than if this Act had not been passed.

Intendant and
 Wardens when
 elected.

II. That the said Village shall be governed by an Intendant and four Wardens (who shall always be freeholders within the limits of said Village) who shall be elected on the second Monday in January in every year, and shall continue in office until the election and qualification of their successors. The Managers of the first election shall be appointed by the Clerk of the Court of the District of Sumter, who shall also designate the place of said election within the corporate limits of said village, ten days notice in writing being previously given; and that every succeeding election for said Intendant and Wardens shall be held at such place and by such persons as the Council shall thereafter designate and appoint; and that all free white male inhabitants of the said Village, who have attained the age of twenty one years, and have resided therein six months previous to the election, paupers excepted, shall be entitled to vote for the said Intendant and Wardens—the election to be held from ten o'clock in the morning until three o'clock in the afternoon, and when the poll shall be closed, the Managers shall proclaim the election and give notice thereof in writing to the persons elected. That the Intendant and Wardens, before entering upon the duties of their offices shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant or Warden of Sumterville, I do solemnly swear that I am duly qualified to exercise the office to which I have been elected, and that I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to Law, the purposes of my appointment—so help me God."

Qualification of
 voters.

Vacancies how
 filled.

III. That in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal from office, or by removal from the State, an election shall be held by the appointment of the Intendant and Wardens or Wardens, as the case may be, ten days previous notice being given; and in case of the sickness or temporary absence of the Intendant, the Wardens forming a council, shall be empowered to elect one of themselves to act as Intendant during the time.

Certain powers
 vested in In-
 tendant and
 Wardens

IV. That the Intendant and Wardens duly elected and qualified, shall, during the term of service, severally and respectively be vested with all the powers of Magistrates in this State, within the limits of the said village, except for the trial of small and mesne causes, on taking the oath now by law required to be taken by Magistrates; and the Intendant shall and may as often

A. D. 1815.

as may be necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant may constitute a quorum to transact business; and they shall be known by the name of the "Town Council of Sumterville," and they and their successors hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances, may sue and be sued, implead and be impleaded in any Court of Law or Equity in this State, and may purchase, hold, possess and enjoy, to them and their successors in perpetuity, or for any term of years, any estate real, personal or mixed. *Provided*, the same shall not exceed the sum of ten thousand dollars. And the Intendant and Wardens shall have full power under their corporate seal to make and establish all such rules, by-laws and ordinances, respecting the roads, streets, markets and police of said village, as shall appear to them necessary and requisite for the security, welfare and convenience of the said village, or for preserving health, peace, order and good government within the same; and the said Council may fix and impose fines and penalties for the violation thereof, and appropriate the same to the public uses of the said Corporation; but no fine above the sum of twenty dollars, shall be collected by the said Council, except by suit in the Court of Common Pleas; and *provided*, also, that no fine shall exceed fifty dollars, and also that nothing herein contained, shall authorise the said Council to make any by-laws inconsistent with or repugnant to the Laws of this State; and all by-laws and ordinances the Council may make, shall at all times be subject to revisal or repeal by the Legislature of this State.

V. That the Intendant and Wardens shall have the full and only power of granting licenses for billiard tables, to keep tavern or retail spirituous liquors within the said limits, which licenses shall be granted in the same manner and upon the same conditions as they now are or may hereafter be granted by Commissioners of Roads under the laws of this State; and all the powers vested in the Commissioners of Roads, are hereby granted to the said Intendant and Wardens within the said limits; and all monies paid for licenses and for fines and forfeitures, for retailing spirituous liquors, keeping taverns and billiard tables, within the said limits without licenses, shall be appropriated to the public uses of the said corporation.

VI. That the Intendant and Wardens of the said village, in addition to all such fines and penalties as may be incurred and recovered, and to the tax on all licenses for taverns, billiard tables, and retailing of spirituous liquors, (all of which the said Intendant and Wardens have a right to grant as herein before stated) shall annually, within ten days after entering on the duties of their office, appoint some fit and proper person as an assessor, who, after taking the following oath, to be administered by the Intendant or any one of the said Wardens to wit: "I, A. B. do swear or affirm (as the case may be) that I will well and truly to the best of my knowledge and judgment, fairly and impartially assess and value all the real taxable property within the limits of the said village, and make returns as well of such property, as also of the several proprietors and occupants to the said Council, so help me God,"—shall proceed to assess and value all the real taxable property within the said village, and shall, within one month after his appointment, make a full and true return of all the property so assessed by him, together with a list of all the proprietors and occupants of the same, to the Board of Wardens, whose duty it shall be to lay a tax on the same, sufficient to discharge and defray all the expenses of carrying into effect the rules, regulations and by-laws made and established as above mentioned *Provided*, such tax does not exceed fifty

Power to grant
licenses to sell
spirituous
liquors, &c.

Oath to be ad-
ministered to
persons taking
out licenses.

A. D. 1845

cents for every hundred dollars worth of property so assessed, which said tax shall be collected as the said Council may direct.

Power to tax
personal prop-
erty and free
persons of co-
color.

VII. That the Intendant and Wardens of said village shall have power to lay a tax not exceeding twelve cents on each slave within said village, but shall have no power to lay any tax on any other personal property whatever. That the said Intendant and Wardens shall have power to levy and collect such tax as they may deem expedient upon all free persons of color within said corporate limits. *Provided*, such tax shall in no case exceed the sum of two dollars per head.

Power to re-
gulate parol.

VIII. That the power and duty of organizing, superintending and regulating the patrol of the said village, be, and the same are hereby transferred to the said Council; and for that purpose the said Council is vested with all the powers in that respect exercised by the officers of a Beat Company and Courts Martial, and severally and collectively the members of the said Council are made subject to like penalties for neglect of duty. No ordinances however, shall diminish the quantity of duty which is now or may hereafter be provided by law.

Roads, streets
&c. to be kept
in order.

IX. That it shall be the duty of the said Intendant and Wardens to keep all roads, streets and ways within their corporate limits, open and in good repair, and for that purpose they are invested with all the powers granted to Commissioners of Roads. The Intendant and Wardens shall have power to compound with all persons liable to work on the said roads, streets and ways to release such persons as may desire it, upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the uses of said corporation; and no person residing within the said limits, shall be liable to work on any road without the said limits.

Power to tax
plays, shows
&c.

X. That the said Intendant and Wardens shall have power to collect the taxes from all persons representing publicly, within their corporate limits, for gain or reward, any plays or shows of what nature or kind soever, which have hitherto been payable to the Clerk of the Court of said District, to be used for the purposes of said corporation.

Fines and how
to be collected.

XI. That all the fines imposed by the said Intendant and Wardens shall be collected by a "Fieri Facias," or if that be returned "Nulla Bona," by a "Capias ad satisfaciendum," under the hand of the said Intendant and seal of the corporation, which, if not paid, may be discharged by schedule and assignment according to the provisions of the Prison Bounds Act, after giving ten days notice to the said Intendant and Wardens.

Power to ap-
point Marshals
&c.

XII That the said Intendant and Wardens shall have power, and are hereby authorised to elect or appoint a Marshal or Marshals who, upon taking the oath now by law required to be taken by constables, shall be invested with all the powers Constables now have by law, whose jurisdiction and authority shall be confined within the corporate limits of said village.

Intendant and
Wardens liable
to indictment
for certain of-
fences.

XIII. That for any wilful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens severally shall be liable to indictment in the Court of Sessions, and upon conviction, to punishment by fine at the discretion of the Court, not exceeding one hundred dollars, and to removal from office, besides being liable for damages to any person injured.

Public Act.

XIV. This Act shall be deemed and taken to be a public Act, and shall

continue of force for ten years, and until the end of the session of the Legislature then next ensuing. A. D. 1845.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

AN ACT TO EXTEND THE TIME GIVEN TO CARRY INTO EFFECT AN ACT ENTITLED "AN ACT TO AUTHORIZE THE FORMATION OF THE EDGEFIELD RAIL ROAD COMPANY," PASSED ON THE SEVENTEENTH DAY OF DECEMBER, IN THE YEAR OF LORD ONE THOUSAND EIGHT HUNDRED AND THIRTY FOUR, AND FOR OTHER PURPOSES. No. 2957.

I *Be it enacted*, by the honorable the Senate and House of Representatives, Time extended five years.
now met and sitting in General Assembly, and by the authority of the same, That the time given by an act entitled "An Act to authorize the formation of the Edgefield Rail Road Company," passed on the seventeenth day of December, in the year of our Lord one thousand eight hundred and thirty four, to complete the said Rail Road, be and is hereby extended to five years from the passage of this act, and that all the rights privileges and immunities created and confirmed by that act of incorporation shall vest, reside with and continue to the said company when formed, for the same length of time prescribed in the aforesaid act, which said time shall be computed from the passage of this Act.

II. That the first section of the act entitled "An Act to authorize the formation of the Edgefield Rail Road Company be so altered and amended as to read as follows: at or near the town of Hamburg or Aiken or at any intervening point. Amendments.

III. That the third section of the aforesaid act be so altered and amended as to read as follows: That books for subscription to the stock of the company hereby authorized shall be opened in Charleston, Columbia, Greenville C. H., Anderson C. H., Laurens C. H., Newberry C. H., Edgefield C. H., and Cambridge, in the District of Abbeville, by three commissioners in each place, namely: in Charleston, by Wm. Dearing, Wm. Gregg, and J. D. Yates; in Columbia, by J. D. Treadwell, J. I. Gracy and Sidney Cranc; in Greenville, by E. D. Earle, T. P. Butler, and T. E. Ware; in Anderson, by A. O. Norris, J. P. Reid and J. L. Orr; in Laurens, by T. F. Jones, J. P. Watts and Robert Cunningham; in Newberry, by B. Waldo, J. H. Williams and Jacob Hunt; in Abbeville by T. C. Perrin, James Alston, and John Taggart; in Edgefield, by C. L. Goodwin, S. F. Goode and G. A. Addison and at Cambridge, Wesley Chiles, Zach Carwile, and William Andrews, Scur. And the books shall be opened in each of the said places on the same days, namely: on the first Mondays in March in each successive year, and be kept open at each place for four days during the first year, and for one day in each successive year, thereafter, unless the subscription be previously taken up, between the hours of nine in the morning and three in the afternoon; the times and places of subscriptions shall be advertised by the said Commissioners, in one or more of the Gazettes in Charleston, and other Gazettes that may be published at the places of sub- Books opened.

A. D. 1845.

scription, for at least three weeks prior to the day of opening the books. If any one of the Commissioners before named shall, after the passage of this Act, decline to act, a majority of the Delegates in the General Assembly, from Edgefield District, may appoint a fit and proper person to supply the vacancy of him so declining to act. And if any one of the Commissioners shall not attend at the opening of the books, the other two Commissioners at the place for which he was appointed, may choose a fit and proper person to supply his place. Upon the books being opened, as aforesaid, individuals may subscribe for so many shares as they see fit, paying to the said Commissioners, at the time of subscription, ten dollars on each share subscribed; and the Commissioners shall designate in the books, opposite to the name of the subscriber, the day of subscription, the number of shares subscribed, and the sum of money paid respectively; and for the sum so paid, the Commissioners shall give receipts to the individuals paying, and as soon as may be, deposit the money in the Bank of the State of South-Carolina, or in some Branch thereof, or in the Hamburg Bank, subject for so much thereof, as may be refunded to the subscribers. Upon adjustment made, in case of over subscription to the stock of the Company, to the joint check of said Commissioners, and subject for the balance to the check or order of said Company, (after it shall be organized by its President,) or Board of Directors.

Payment on
shares, how to
be received.

Proviso.

IV. That the *proviso* contained in the sixteenth section of the aforesaid Act, be, and is hereby repealed.

Alteration.

V. That the eighteenth section of the aforesaid Act, be so altered and amended, as to read "from the Bank of Hamburg," in the place of the Bank of Augusta.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate,*

W. F. COLCOCK, *Speaker of the House of Representatives.*

No. 2959. AN ACT TO REPEAL THE LAW OF ONE THOUSAND EIGHT HUNDRED AND NINETEEN, CONCERNING VACANT LANDS WITHIN TEN MILES OF THE PUBLIC WORKS.

The 9th sec.
of act of 1819,
repealed.

I. *Be it enacted*, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the ninth section of an Act entitled an Act to establish a Board of Public Works, passed the eighteenth day of December, A. D. one thousand eight hundred and nineteen, concerning vacant lands within ten miles of the Public Works be, and the same is hereby repealed.

Right vested in
Grantees.

II. *And be it further enacted*, by the authority aforesaid, That all the right, title and interest of the State to any lands above named, lying within ten miles of the Public Works is hereby vested in the grantees of such land, their heirs and assigns, and the said grants are hereby declared valid: *Provided*, no grant be confirmed, or sale made of any land whereon may lie

Proviso.

any one of the public works, or of any land within three chains of any of said works: And *Provided also*, that this act shall have no reference to such lands as have been already sold by the Superintendent of public works. A. D. 1845.

In the Senate House, the fifteenth day of December, in the year of Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate*,

W. F. COLCOCK, *Speaker of the House of Representatives*.

AN ACT TO ABOLISH THE PUNISHMENT OF DEATH IN CASES OF FORGERY AND No. 2959. COUNTERFEITING.

Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, that in all cases where the punishment of death is imposed by law upon any person who shall be convicted of falsely making, forging, or counterfeiting; or causing or procuring to be falsely made, forged or counterfeited; or of willingly acting or assisting in the false making, forging or counterfeiting of any writing or instrument of writing; or of uttering or publishing as true any false, forged or counterfeited writing or instrument of writing; or of falsely making, forging, counterfeiting, altering, changing, defacing or erasing, or causing or procuring to be falsely made, forged, counterfeited, altered, changed, defaced or erased, any record, or plat of land, or of willingly acting or assisting in any of the premises, with an intention to defraud any person, or of counterfeiting or uttering, or attempting to pass, knowing it to be counterfeit, of any gold or silver coin; or of making or keeping in possession any stamp, or mould for coining; the said punishment is hereby abolished; and in lieu thereof the person convicted shall be sentenced to be whipped thirty-nine lashes, and to be imprisoned not less than one year nor more than seven years, and also, to pay such fine as may be judged expedient at the discretion of the judge who may try the case. Punishment of death abolished in case of forgery and counterfeiting.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate*.

W. F. COLCOCK, *Speaker of the House of Representatives*.

AN ACT TO AMEND THE SEVENTH SECTION OF AN ACT, ENTITLED No. 2960. "AN ACT TO AMEND AND EXPLAIN THE MILITIA LAWS OF THIS STATE," PASSED ON THE NINETEENTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND NINE.

Be it enacted, by the Senate and House of Representatives, of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the seventh section of An Act, entitled "An Act, to amend and explain the Militia Laws of this State," passed on the nineteenth day of December, in the year of our Lord one thousand eight hundred and nine, be so amended that the field officers of the Fourth Brigade, residing within the Military officers authorized to erect a Military Hall.

STATUTES AT LARGE

D. 1845. Parishes of St. Philip and St. Michael, shall have power to erect a building, or Military Hall, for the use of the militia of the said Parishes, with power to purchase as much land as may be necessary for that purpose; and they and their successors in command, may hold the same for ever thereafter, as a place of exercise for the militia aforesaid, free of taxes.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

D. 2961. AN ACT TO ESTABLISH THE OFFICE, PRESCRIBE THE DUTIES, AND FIX THE SALARY OF STATE REPORTER.

I. *Be it enacted*, by the Senate and House of Representative, now met and sitting in General Assembly and by the authority of the same, That the office of State Reporter be and the same is hereby established; and that the State Reporter shall be elected by joint ballot of both branches of the General Assembly, and shall hold his office for four years.

II. It shall be the duty of the State Reporter to print and publish in volumes of convenient size, such decisions of the courts of Appeals and Errors, which shall be made during the term of his office, as the Judges may direct, and such others as he may deem important to be published. He shall attend in person or by deputy, the sitting of the courts of Appeals and Errors in Columbia and Charleston, and report such arguments and statements of facts as may be necessary to a correct understanding of the decisions of the said courts.

III. The State Reporter shall receive an annual salary of fifteen hundred dollars: *Provided*, however, that he shall be entitled to one half only of said salary, if the publication of the law cases shall be delayed beyond six months, or the Equity cases beyond twelve months from the termination of the May sitting of the said courts of Appeals.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate,*

W. F. COLCOCK, *Speaker of the House of Representatives.*

D. 2962. AN ACT TO RESTORE THE LAW IN RELATION TO THE PAY OF JURORS.

Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, that the act of the General Assembly ratified in December of the last year, entitled an act to increase the compensation of Grand and Petit Jurors, be and the same is hereby repealed.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

AN ACT TO EXEMPT CERTAIN WAGONS FROM TOLL UNTIL THE FIRST DAY OF OCTOBER, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND FORTY-SIX. A. D. 1845
No. 2963.

Be it enacted, by the Honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, that all wagons laden with grain or flour shall be allowed to pass the Saluda Mountain Turnpike gate without payment of any toll until the first day of October, in the year of our Lord one thousand eight hundred and forty-six. And that all toll exacted on wagons passing through said gate in search of grain or flour, shall be refunded on their returning laden with grain or flour for domestic consumption during the same period. Certain wago
exempted fro
toll.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

AN ACT TO PROVIDE FOR THE MORE EFFECTUAL COLLECTION OF TAXES FROM FREE PERSONS OF COLOR. No. 2964.

I. *Be it enacted*, by the Senate and House of representatives now met, and sitting in General Assembly, that it shall be the duty of every free negro, mulatto, or mustizoe within this State, between the ages of fifteen and fifty years, (except such as shall be clearly proved to the satisfaction of the Collector, to be incapable from maims or otherwise of providing a livelihood) to make due return of themselves to the tax Collector of the District in which they reside, for the purpose of paying such capitation Tax as is or may be imposed on them by law; and it shall be lawful for any member of a family to make return for the other members of the family; or for any female or any sick or infirm person to make return by any agent, and such return shall be received as lawful by the tax Collector. Return may
made by a
member of f
mily or in cas
of infirmity
sickness by
agents.

II. In case any free negro, mulatto or mustizoe shall not make such return within the time prescribed by law for payment of the tax imposed at the present Session or hereafter, upon her or him, such free negro, mulatto or mustizoe shall be double taxed, and the tax Collector shall be authorised to issue execution as in cases where any white person shall fail to make return. In case of fai
ure execu
to issue

III. The tax imposed upon any free negro, mulatto or mustizoe may be paid by him or her at the time of making his or her return. Taxes may
paid at time
making retur

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

STATUTES AT LARGE

1845. **AN ACT TO AUTHORIZE THE COMMISSIONERS OF CROSS ROADS ON CHARLESTON NECK, TO BUILD A GUARD HOUSE, AND FOR OTHER PURPOSES.**

1965. **I. Be it enacted**, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Commissioners of Cross Roads on Charleston Neck, be and the same are hereby authorized and empowered to build a Guard House on Charleston Neck, and for this purpose to purchase and hold to them and their successors in office, so much land as may be necessary therefor, and that they may, in addition to such funds as they may procure by private subscription, appropriate so much of the funds now under their control by law, as shall be necessary for the purpose aforesaid.

may in said persons under the authority of the said Commissioners of Cross Roads, to lodge in the said Guard House, all such slaves and free persons of color as may be found violating the laws of the State; and the said slaves and free persons of color shall receive such corporal punishment for violations of the Patrol Law, as is prescribed by the said Patrol Law, unless the owner or other person having the care and management of such slaves, or unless such free persons of color, or their guardians, shall pay to the said Commissioners of Cross Roads a sum not exceeding one dollar for each and every of such slaves, or free persons of color; and if such slaves and free persons of color shall be charged with any other offence against the laws of this State, then it shall be lawful for the said Commissioners of Cross Roads to detain the said slaves and free persons of color in said Guard House until they shall be dealt with according to law.

Commissioners age House. **III.** That the said Commissioners of Cross Roads shall have the management and control of the said Guard House, and that they are hereby authorized and empowered to employ such person or persons, establish such Rules, and charge such fees as may be necessary for the maintenance and regulation thereof.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

2966. **TO VEST IN MARTIN OAKES AND HIS HEIRS, FOREVER, ALL THE RIGHT, TITLE AND INTEREST OF THE STATE TO AND IN A CERTAIN TRACT OF LAND, IN THE DISTRICT OF DARLINGTON**

lands in Mar- is and rs. **Be it enacted**, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, That all the right, title and interest of the State to and in a certain tract of land, lying in the District of Darlington, containing one hundred acres, more or less; bounded on the North by Palmetto Branch, thence down said branch, until it intersects the line of lands belonging to the estate of Isaac B. Hunter, it being part of the same tract, and conveyed by R. Cannon; thence on said line, southwardly to the corner in the line between said land and William Roger's land; thence westwardly on the line, to the corner on the road leading by Thos. Price's to

OF SOUTH CAROLINA.

Darlington Court House ; thence northwardly, a little below the road to the beginning corner in the Run of Palmetto Branch, be vested in the said Martin Oakes and his heirs forever. A. D.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

AN ACT TO EXEMPT THE HILTON HEAD BEAT COMPANY FROM REGIMENT- No. 20 TAL AND BATTALION REVIEW, AND FOR OTHER PURPOSES.

I. *Be it enacted*, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Hilton Head Beat Company of Beaufort District be, and the same is hereby exempted from attending Regimental and Battalion Reviews: *Provided*, The said Company, in addition to the days and times now required by law, shall, on the days and times when the regiment and Battalion to which the said Company is now attached, parade for review and exercise, also assemble at the usual muster ground of the said Company, for drill, exercise and instruction. Hilton Head Beat Company exempt from Regimental and Battalion Reviews.

II. That the recruiting limits of the ninth Regiment of Cavalry be extended, so as to include all the territory in the tenth Brigade of Infantry which lies North-East of South Tyger river, commencing at Price's Ford, and running along the said river to a point where it intersects the line of the ninth Brigade of Infantry. Extension recruiting its.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

AN ACT TO AUTHORIZE JOHN W. LEAK TO ERECT MILLS ON THOMPSON'S No. 20 CREEK, NEAR CHERAW.

Be it enacted, by the Senate and House of Representatives, now met and John W. Leak be authorized to erect a Grist Mill and a Saw Mill on Thompson's Creek, with the necessary dams, near Cheraw, in the District of Chesterfield: John W. Leak authorized to erect on Thompson's Creek. *Provided*, the said John W. Leak do comply with the conditions and be subject to the provisions of the sixth section of an act entitled "An Act concerning the canals of the State, and for other purposes therein mentioned," passed the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-five.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

STATUTES AT LARGE

A. D. 1845. AN ACT TO AUTHORIZE PERSONS PRACTICING MEDICINE UNDER THE BOTANIC OR THOMPSONIAN SYSTEM TO RECEIVE COMPENSATION FOR THEIR SERVICES.
No. 2969.

I. Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That hereafter all persons now practicing or who may hereafter practice medicine according to the Botanic or Thompsonian System, shall have the privilege of making reasonable charges for their services, and may sue for and recover such charges before any tribunal having competent jurisdiction: *Provided*, That nothing herein contained shall confer upon any person so practicing, such privilege, unless he be a graduate of a legally organized Thompsonian College of medicine, and shall confine himself to the use or administration of such medicines only as properly belong or are embraced in the Thompsonian System of medicine.

II. That hereafter all persons now practicing, or who may hereafter practice medicine or surgery, and who shall have graduated and received a diploma from any regularly organized medical college within the United States, shall be entitled to charge, sue for, and collect, for their services in the same manner as the graduates of the Medical College of South Carolina.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCCK, *Speaker of the House of Representatives.*

No. 2970. AN ACT TO ENABLE PRESCOTT BUSH TO RECEIVE HIS ANNUITY BY ATTORNEY.

Be it enacted, by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this act, Prescott Bush, an annuitant of the State now resident in the State of Georgia, be permitted to receive his annuity by attorney, and for that purpose, the Treasurers be and they are hereby authorized and required, on the proper assurance that the annuitant aforesaid is still living and resident without the limits of the State, to draw orders on the Tax Collector for Barnwell District for the time being, for the amount due, payable to the authorized attorney of said annuitant on a proper warrant, taking from the said attorney a receipt for the money paid, as well as the evidence of authority, to be filed in the Treasury department as often as such payments may be made.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

AN ACT TO ESTABLISH CERTAIN ROADS, BRIDGES AND FERRIES.

A D. 184

I. *Be it enacted*, by the honorable the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That the Ferry over Lynche's Creek, in Marion and Williamsburg Districts, known as Johnson's Ferry, be and the same is hereby chartered as a Public Ferry, for the term of seven years, and vested in William Johnson, his heirs and assigns; and the following rates of Toll allowed, viz: For single Ferriage, for each Man and Horse, 12½ cents; led Horse, 6½ cents; each Foot Passenger, 6½ cents; each Wagon drawn by four Horses, \$1; each Carriage drawn by four Horses, \$1; each Carriage and two Horses, 75 cents; each Wagon drawn by one Horse, 25 cents; each Gig, or Sulkey, 25 cents; each Cart and Horse, 25 cents; each head of Cattle, 6½ cents; each head of Hogs, Goats, or Sheep, 4 cents; and for long or double Ferriage, double the amount of above rates. No. 2971
Johnson's fe
Rates of tol

II. That the Bridge over Lynche's Creek, in Sumter District, known as Dubose's Bridge, be and the same is hereby Chartered, for the term of seven years, and vested in Peter Dubose, his heirs and assigns; with the same rates of Toll heretofore allowed by Law. Dubose's
Bridge chart
ed.

III. That the Ferry over the Saluda River, near the Island Ford, at the junction of the Districts of Edgefield, Abbeville, Laurens and Newberry, be and the same is hereby Chartered as a Public Ferry, for the term of eight years, and vested in James S. Pope and John W. Payne, and that the following rates of Ferriage be allowed, viz: For each Foot passenger, 4 cents; each led Horse, 4 cents; each Man and Horse, 6½ cents; for each two wheeled Carriage, Horse and Driver, 25 cents; for each four wheeled Carriage drawn by one Horse, 25 cents; for every four wheeled Carriage, or Wagon drawn by two Horses, 37½ cents; for every four wheeled Carriage, or Wagon drawn by four or more Horses, 50 cents; for every head of Cattle, 3 cents; for every head of Sheep, Goats, or Hogs, 2 cents. Ferry over S
luda River n
Island Ford
chartered.
Rates of toll

IV. That Cyrus Morse be and is hereby authorized, to alter and change that portion of the Road, in Richland District, leading across from the McCord's Ferry Road, to the Road from Garner's Ferry to Columbia, which passes directly in front of his plantation settlement, in said District. Cyrus Morse
authorized t
change cert
road.


V. That the Turnpike Road, in Pickens District, leading from Pumpkin Town to the base of the Table Mountain, and known as Keith's Turnpike, be and the same is hereby re-chartered, for the term of seven years, and vested in Cornelius Keith, his heirs and assigns, with the following rates of Toll, to wit: Each Foot passenger, 6½ cents; each led Horse, 6½ cents; each Man and Horse, 12½ cents; for each two wheeled Carriage, Horse, Driver &c., 25 cents; for each four wheeled Carriage drawn by one Horse, 25 cents; for each four wheeled Carriage drawn by two, or more Horses, 50 cents. Keith's Turn
pike rechart
ed.

VI. That the "8th section of the Act, to establish certain Roads, Bridges and Ferries, passed on the eighteenth day of December, in the year of our Lord one thousand eight hundred and forty-four," be and the same is hereby repealed. Rates of toll
8th section
act to regul
roads, bridg
and ferries,
repealed.

VII. That Andrew Milne, the present proprietor of the most Northern part of the tract of Land, known and distinguished as Raven's tract, on John's Island, (formerly owned by James Mair,) shall be and is hereby exempted from the operation of any Law, requiring his male slaves to work on New-Town Cut, so long as he shall not make use of the same, for the purpose of conveying produce to market, or in any manner whatever: *Provided*, however, Andrew M
exempted f
working n
Town cut,
certain of h
negroes.

A. D. 1845. that nothing herein contained, shall be so construed as to affect the suit now pending, in reference to the exemption heretofore claimed by the said Milne.

Commissioners
of Roads in
Newberry Dis-
trict authorized

VIII. That the Commissioners of Roads, in Newberry District, be and are hereby authorized and required, to lay out, open, and keep in repair, a New Road in said District, "from Abner Reeder's, on the line between him and Jacob Schumpert, until  strikes Mrs. Levell's land, thence through her plantation, to David Boozer's land, through it and by his mill across Bush River, and thence through the same, to Robert Leavell's, thence through his land to Bailey Mangum's, thence to the line between him and Mrs. Cannon, thence by the Bush River Meeting House, through Mrs. Cannon's land to Stephen Johnson's, and thence through his lands to James Gogan's, and through his land to Killis Anderson's, and through his land to that of Thomas Dalrymple (deceased,) and through it to Dr. Charles Garey's, and through it to intersect the old ninety-six Road," and that the said Road, when laid out, be and the same is hereby established as a Public Road.

Certain public
road establish-
ed.

IX. That the Road in Newberry District, leading from the Rocks, near John Holloway's, to Mount Zion Meeting House, be extended so as to cross Little River and intersect the Road leading from Dr. Peter Moon's, to the Dead Fall, at or near Grave Spearman's, and the same be and is hereby established as a Public Road.

New road in
Sumter District
laid out.

X. That a New Road be laid out in Sumter District, leaving the Murray's Ferry Road at the Fellowship Church, at George J. McCanlay's old place, thence through Edward Davis' land, and by Samuel Richbourg's, Elizabeth Richbourg's, John L. Stukes, Leonard Bradham's, W. W. Richbourg's, W. J. Gibson's, Benjamin Walker's, and on the line of P. M. Butler's and Robert Thames' land, and John C. Thames', entering the Vance's Ferry Road, near John C. Thames' House, a distance of about eight miles, be and the same is hereby established as a Public Road.

Ditto in Lau-
rens District.

XI. That a New Road be laid out in Laurens District, from the Rocky Spring Road, to pass near John Templeton's, Andrew Spear's, Mitchell Smith, and John Garlington's plantation, into the Road leading from Laurens Court House to Newberry, (one mile from Laurens Court House,) and the same be and is hereby established as a Public Road.

Bridge over
Lynche's
Creek re-
chartered.

XII. That the Bridge over Lynche's Creek, at a place called Effingham, be and the same is hereby re-chartered, for the term of seven years, with the same rates of Toll heretofore allowed by law, and vested in Benjamin F. Laurence, for himself and the other heirs at law of Benjamin Laurence, deceased.

Harlee's Ferry
rechartered.

XIII. That the Ferry over the Little Pee Dee River, formerly known as Harlee's Ferry, at Harleesville, be and the same is hereby re-chartered for one year, with the same rates of Toll heretofore allowed by law, and vested in John B. McDaniel, his heirs and assigns.

Sand Bar Ferry
rechartered.

XIV. That the Ferry over the Savannah river, known as "Fort Moore Bluff Ferry," but commonly called the Sand Bar Ferry, be, and the same is hereby re-chartered, for the term of seven years, with the same rates of Toll heretofore allowed by law, and vested in Elizabeth R. Whatley, her heirs and assigns.

Cashua Ferry
rechartered.

XV. That the Ferry across the Great Pee Dee river in Darlington District at Cashua's, be, and the same is hereby re-chartered for one year, with the same rates of Toll heretofore allowed by law, and vested in John J. Cannon, his heirs and assigns.

XVI. That Ancrum's Ferry, across the Wateree river, in Kershaw District, be, and the same is hereby re-chartered for seven years, with the same rates of Ferriage heretofore allowed by law, and vested in Thomas T. Ancrum, his heirs and assigns. A. D. 1845.
Ancrum's Ferry rechartered.

XVII. That the General Board of Commissioners of Roads and Cuts, for the Parish of Saint John's Colleton, shall consist as heretofore, of the Commissioners of Roads for Edisto, Wadmalaw and John's Island, and the Commissioners of Newtown Cut, Haulover Cut and Watt's Cut. *Provided*, That the Commissioners of Newtown Cut, when an inhabitant of James' Island, shall not be a member of the General Board for St. John's Colleton. Commissioners of Roads and Cuts for St. John's Colleton, whom.

XVIII. That the Commissioners of Newtown Cut in St. Andrew's Parish, Haulover and Watt's Cuts, in the Parish of St. John's Colleton, shall each retain separate jurisdiction as heretofore, for the imposing and collecting of fines incurred by Defaulters from public duty on each of such Cuts—and all fines collected for default of such duty on each Cut, shall be for the separate use and benefit of each of said Cuts, and be retained in the hands of the Commissioners for such Cut, until appropriated for its use. Commissioners of Cuts for Newtown, Haulover, and Watt's Cuts to remain separate for certain purposes.

XIX. That the said Commissioners of Cuts, shall hold a separate Board for each Cut, for the trial of Defaulters within two months after the working of the Cut annually, and that the Treasurer of each Cut, shall at the January meeting of the General Board of Commissioners for St. John's Colleton, report the amount of money received and paid away on the Cut, how appropriated, the balance in hand at that time, and the amount of fines due and unpaid—which report shall be subject to the revision of the General Board. Defaulters to be reported.

XX. That twelve members shall constitute a Quorum for the transaction of business, at the meetings of the General Board of Commissioners for St. John's Colleton. 12 members to form a quorum.

XXI. That the Ferry on the Santee, known as Vance's Ferry, be, and the same is hereby re-chartered for the term of seven years, and vested in John N. Davis, with the same rates of Toll formerly allowed by Law, except that in low water or single Ferriage, the rates of Toll for four wheeled wagons, horses and drivers, shall be one dollar, and in high water or double Ferriage, one dollar and fifty cents, and that for man and horse in high water, eighteen and three-quarter cents, shall be allowed, and in low water twelve and a half cents. Vance's Ferry rechartered.

XXII. That a Ferry across the Lake, between McCord's and Buck Head Creek in St. Matthew's Parish, be, and the same is hereby chartered for the term of seven years, and vested in Dr. Thomas T. Starke, his heirs and assigns, and the following rates of Toll allowed—for every head of black cattle, hogs, goats and sheep each, two cents, for man and horse ten cents, for every four wheeled carriage with drivers, riders and horses, thirty-seven and a half cents, for every two wheeled carriage, twenty cents, for horses or mules in droves, six and a quarter cents. Dr. Thomas T. Starke to have a certain ferry vested in him. Rates of toll.

XXIII. That at all Ferries and Bridges chartered at this Session of the Legislature, or at any time hereafter, the same and no higher Toll, shall hereafter be demanded, paid or allowed on any wagon, buggy, barouche or other carriage, drawn by a single horse, mule or other animal, than is allowed, paid or demandable, for chairs, gigs or sulkies; any law, custom or usage to the contrary notwithstanding. Regulation of Tolls.

XXIV. That each Commissioner of Roads in his respective division, shall be authorized to appoint warners, whose duty it shall be to warn the inhabitants in the division, to make a return, (on oath if required) of all the male Warners to be appointed

A. D. 1845, slaves belonging to them or under their care, management or direction, from sixteen to fifty years of age, liable to perform road duty in said division.

Penalty for neglect of said duty.

XXV. That if any person or persons, who shall be appointed Warner as aforesaid, shall neglect or refuse to act, he shall be fined in the sum of ten dollars ; and that while serving as warners, they, and each of them, shall be exempt from all road duty.

In the Senate House, the fifteenth day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the seventieth year of the Sovereignty and Independence of the United States of America.

ANGUS PATTERSON, *President of the Senate.*

W. F. COLCOCK, *Speaker of the House of Representatives.*

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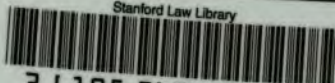
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